Health care reform: Keep the alliances

COMMONWEAL

$2.00 April 22, 1994

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MADELINE MARGET on Doris Grumbach

EDWARD McGLYNN GAFFNEY, Jr on Cass R. Sunstein

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A priest looks at priest pedophilia

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CORRESPONDENCE

Almost all is forgiven

Bay Shore, N.Y.

To the Editors: Here is the renewal check I swore I'd never send. Frank McConnell has tried me nearly beyond endurance, and there have been other times when I wondered if we need another "liberal" Catholic voice when the pendulum has swung so far in that direction.

But you have published several of my letters, repudiated Anna Quindlen, and, most important, delighted me beyond telling with "Numero Uno" [editorial, January 28]. Although this ten-years-on convert with no interest whatever in sports had to work hard to figure out all the allusions, I can tell wit when I see it. This was pure joy. I've always known being Catholic could be this much fun (although probably not all the time). Perhaps it's not too much to hope that some day you'll pull the plug on McConnell. Meanwhile, I'm back for more. LINDA A. MORROW

The Pentagon says 'No'

Washington, D.C.

To the Editors: Father Robert Drinan's article "Can We Ban Land Mines?" [February 25] does a superb job of describing the terrible carnage these indiscriminate weapons cause. The vast majority of victims are innocent civilians who are either killed outright or maimed for life. The world has begun to wake up to this horror, and the question now is what are governments going to do to stop it. Last September, my amendment for a moratorium on exports of anti-personnel land mines from the United States passed the Senate unanimously, but it will take far more than that. I have urged the Clinton administration to seek a global ban on the production and use of land mines, but the Pentagon opposes it. Other militaries have also refused to give up these weapons. They have never had to deal with the immense human suffering and economic damage land mines cause. Father Drinan reminds us that, like chemical and biological weapons, land mines need not be a fact of life if we muster the political will to outlaw them. PATRICK LEAHY

The writer is United States Senator from Vermont.

Where liberals went

Bellevue, Wash.

To the Editors: Bravo to David R. Carlin, Jr., and his column, "Where Have All the Liberals Gone?" [March 25]. I, too, lived through the McCarthy era but in 1973 I also lived through the first political battle in my state over abortion-on-demand. I was a naive Catholic wife and mother who took a public stand against abortion, and it was this experience that taught me about dirty politics in and out of my church.

Where have the liberals gone? In that struggle, a lot of Catholic liberals went into studied neglect. Others wielded clubs that whacked my knees and put knots in my head. In those days using the label "right-wing prolife Catholic" was an acceptable form of discrimination. The liberal prochoice movement learned that you could attack at will, thereby unleashing anti-Catholicism; Catholic liberals were struck dumb.

An important part of the success of the pro-abortion movement was the technique learned in that Washington state battle, the deliberate political seduction, and attendant corruption, of some of the so-called liberal Catholics who then became a prochoice vanguard in the trenches. Equally important was the innocent yet incredibly damaging silence of battered and threatened institutional professionals. This anti-democratic, anti-liberal tactic continues to this day because we, as Catholics, just don't get it; the politically correct liberals know it and use it with impunity.

BARBARA GERACI

The church on gays

New York, N.Y.

To the Editors: David Carlin asks whether Catholics "have a right to believe that homosexual conduct is immoral and to express their belief publicly." They do. But they also have an obligation to know accurately and completely "the traditional teaching of their religion" as it evolves, and to express it in a balanced and responsible manner.

To escape the charge of bigotry, Catholics need not label themselves "dissidents" nor condemn the church's view on same-sex lovemaking. But they must dissent from any approach which reduces gay and lesbian people to their physical lovemaking, and they should condemn expressions of church teaching whose language and tone betray more irrational fear than authentic pastoral care.

To speak of "homosexuality" without any qualifications as "deviant behavior," "a moral disorder," and "a kind of slavery" is to promote an environment prejudicial to homosexual people. Prejudice and the violence (physical and psychological) that stems from it are equally "moral evils" and ought to be denounced as such.

In 1991 the United States bishops, echoing the Congregation for the Doctrine of the Faith, stated: "It is deplorable that homosexual persons have been and are the

(Continued on page 28)

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COMMONWEAL

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Why?

In speaking on "A Theology of Illness," John Carmody observes that "illness is...something extraordinary, because illness strips human existence to the bone." It is, he says, "as much about why this is happening to me, or why someone I love is in peril, as it is about what is happening or how we got to this pass" (The Warren Lecture Series). In the midst of the health reform debate, the words of a man suffering from terminal cancer are a sobering reminder that illness, by which he means "the experience of disease—the full impact, physical and emotional, spiritual and social"—is always a larger subject than the medical means we have devised to treat the diseases that make us ill, the diseases that finally take us from life. Finally each of us will die no matter the state of medical progress—or health-care reform.

Why illness? Why death? Why *this* death?

It would be foolish to imagine that the larger meaning of illness, of the kind Carmody elucidates, could make its way into the polling and posturing that go with the legislative debate on national health-care reform. Yet this larger meaning is implicit in questions about the limits to medical intervention and limits to the provision of health-care services. They are implicit because there are diseases, or stages in the course of a disease, for which there is no medical remedy, and others for which the cost of treatment would be simply prohibitive. It is partly because our society is unwilling and unable to set limits—even in instances where treatment is clearly futile—that medical care costs have risen and, in some measure, created the crisis that health-care reform is trying to relieve. Isn't this because we cannot ask why?

A dramatic example: Cancer patients are successfully suing insurance companies forcing them to pay for experimental procedures in a last effort to fight terminal conditions. Sympathetic juries have been unwilling to enforce contractual restrictions on such treatments, especially perhaps *because* the patient is dying. This has resulted in at least some companies agreeing to pay for treatment simply on the threat of a legal suit. There is no evidence that patients or families are better off. In the meantime, insurance premiums increase for everyone, and the cost of medical care heads steadily upward. Is it realistic to suppose that health-care reform will or can force Americans to face up to the question of limits? If one litigant has forced an insurance firm to surrender, why not all cases similarly situated? If your dying child, why not mine?

To ask Carmody's "why?" is to make explicit the finite nature of human existence. This is a reality that medicine prefers to keep hidden behind the veil of progress. Certainly policymakers do not see it as appropriate subject matter for political debate—and perhaps they are right. So if "why?" is to be asked and dealt with at all, others must raise the question. They may do so with the long-term goal of affecting health-care poli-

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cy, but the more reasonable and short-term goal is to focus public attention on "why?" in a way that makes individuals and communities more thoughtful themselves about medical-care choices, especially in the last weeks or months of life.

In two recent books, *Setting Limits* and *The Troubled Dream of Life: Living with Mortality* (Simon & Schuster), Daniel Callahan has framed the question of limits, and with it rationing, in philosophical language accessible and acceptable to many Americans. But, as John Garvey points out in this issue (page 9), even though religious language and perspectives are less welcome in public discussion, they do go to the heart of life's meaning and purpose. Religious faith can ask the "why?" question. And it can evoke, as it has from Carmody, a theologian as well as a man suffering from cancer, a compelling array of reflections.

In the Warren Center Lecture and a new book, *Cancer and Faith* (Twenty-Third Publications), Carmody bypasses the often narrowly framed debate of moral theologians about death and dying to look directly at what the fact of death says to the Christian: "Everything about [this radical Christian theology] from beginning to end, is grace—the free bounty of God's love. But I find it surpassingly fitting—apt, condign, what my heart has been made for. For I, like you, am completely mortal. Steadily, death stalks, grows, in my blood and bones. And, like you, I am fully sinful—as little like God in my moral life, the quality of my love, as in my physical life, my being. If only because I have grown up on them, these images that I have been laying out for you, this passionate faith that I have been sketching, nourishes my memory, my hope, what I need to keep going, what I know, in no provable way, 'has' to be, if not just Christ, not just God, but human being itself is not to be a terrible fraud."

HEALTH REFORM WARS

POWER TO THE PATIENTS

WHY ALLIANCES MATTER

President Bill Clinton's Health Security Act has had its first congressional committee vote, and already health alliances, a key feature of the bill, have been left behind by policymakers. If health alliances are dead, then consumer protection is in mortal danger. Far from a peripheral issue, alliances are at the heart of government's natural and moral obligation to regulate the purchase of insurance in the public interest. In a competitive market, alliances *are* the market-maker, assuring consumers of quality and providers of fairness. That no strong constituency has emerged to defend alliances says more about the politics of health reform than about rational health policy. That the Clinton administration appears willing to jettison alliances suggests, at the least, a confused state of leadership.

Why are health alliances so important? They perform several functions critical to a strategy of cost containment, access to care, and quality improvement. By pooling large numbers of individuals, a basic principle of social insurance is restored: spreading the risk over the greatest number of people. If the alliances are "voluntary," as some would have it, adverse selection is certain to occur, as it always has with voluntary arrangements. Only individuals with the most risk would be covered, forcing continuous subsidies and bailouts.

Alliances also protect consumers by giving them unbiased counseling about their choices among competing plans. Experience shows that in the absence of such an intermediary, marketing abuses flourish. Health insurance is a purchase of vital importance. Consumers deserve factual information to make informed decisions. They should not have to cut their way through hype and distortion to understand what they are buying.

It may not be necessary to give alliances the broad regulatory authority envisioned in President Clinton's proposal. Many of these regulatory provisions can be exercised by the states, although at the cost of some additional complexity. Nevertheless, it is important that alliances exist to handle enrollment, disenrollment, and contracting with health plans for service. If the government abdicates this role, it will also forfeit the anticipated benefit of market efficiency in health plan competition. These efficiencies are realistic only in an orderly marketplace.

Fundamental to the notion of managed competition is that health plans should manage risk, not avoid it. Health alliances promote competition on the basis of price and quality. The incentive for providers is to improve value and productivity. The existing disincentives for high-quality, portable coverage are eliminated.

In a competitive model, the case for alliances is compelling. Why then, are they sinking under an onslaught from special interests? Where are their natural defenders? The answer is that most public interest groups do not support a competitive model. They favor a single-payer system of health-care finance, and are unwilling to spend political capital trying to make another model work. This is foolish, and a little dangerous.

We need healthy competition in health insurance for the same reason we do in other phases of our economic life. It promotes efficiency and innovation. For a variety of cultural and political reasons, it is extremely unlikely that Congress will ever enact a single-payer system. They haven't done so for fifty years, and the votes clearly aren't there now.

By taking the sidelines on this important feature of the Clinton proposal, consumer groups are repeating the same mistakes that led to stalemate and failure in every previous attempt to win universal coverage. The balance of power still rests with moderates and conservatives. It would be tragic if progressives refused to work for the improvement of health reforms that are achievable, while holding out for the unattainable.

The White House strategy is inexplicable. It seems to say, "We'll hang back now, and try to sort it out later. We just want a commitment for universal coverage." The principles of universal coverage and a regulated market place are indivisible.

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Without the latter, chaos will result. If the White House is too timid to stand for the importance of alliances, it cannot expect legislators to resurrect the concept after the battle is over.

If it is already too late to rescue alliances, there are two other options worth exploring in hearings on the Health Security Act. One is to trim back alliance roles and responsibilities to be more like the Health Insurance Purchasing Cooperatives (HIPCs) envisioned by the Jackson Hole group, and called for in Congressman Jim Cooper's (D-Tenn.) legislation. The other option is to leave it to the states to organize purchasing arrangements for individuals and small groups. I prefer HIPCs, not because I don't trust the states, but because HIPCs offer the promise of more uniform administration. Without the burden of administering a premium cap, HIPCs may also stand a better chance of garnering business support.

This issue should not be pushed aside for later consideration. The soul of health reform is, yes, to empower individuals to make better choices for their health-care needs. It is a principle that summons defense. THOMAS HIGGINS

Thomas Higgins was deputy secretary to the cabinet of President Jimmy Carter, and is currently the president of the Laurel Company, a health-care strategic consulting firm in Washington, D.C.

REPORT FROM A PARISH

SEAN'S GIFT

A COMMUNITY AWAKENS

Everyone in our parish knew Sean. They remember when he, my wife, and I joined the church in 1980. It was Sean who led us to this decision. Sean's mother was born in England and joined the Anglo-Catholic church as a child. She instructed Sean in the catechism when he was young, and he memorized the Nicene Creed, Psalm 23, and Psalm 123. As he grew older, he sought more information and began to attend services at our local Catholic parish.

At thirteen years old, Sean told his mother he wanted to join the Catholic church. She urged him to wait until he was fifteen, because this was such a serious, life-long commitment. On the morning of his fifteenth birthday, he asked again. My wife immediately called the parish priest and made arrangements for Sean to receive instructions. Inspired by his fervor, we took instructions with him and we all joined the church together.

The parishioners soon knew Sean because he was a daily communicant and later an altar server. With the arrival of a new pastor, Sean was appointed sacristan and given the responsibility of training the other altar servers. He served at virtually all the Masses and his reverence was apparent to everyone.

At the same time, Sean was a brilliant high-school student. At the Washington International School, he was class valedictorian. He was a natural linguist: a Latin scholar, a student of Mandarin, and fluent in French and Spanish. Many Spanish-speaking members of the parish would come to him for advice or to ask for his prayers. They and others expressed the hope that he would become a priest, and he seriously considered this.

He was accepted at Georgetown University in the Foreign Service School, specializing in Latin American studies. By then he aspired to a career in international affairs and we had high hopes for him. He was a serious student, studying sixteen to eighteen hours a day. These studies took a toll on him. By May 1985, he was constantly fatigued and ran high fevers. His doctor diagnosed his condition as mononucleosis. Nevertheless, Sean maintained a high scholastic average and was consistently on the dean's list.

Sean graduated *cum laude* in May 1986, at the age of twenty-two. Two days later, his doctor informed him that he tested positive for the Human Immune Virus (HIV) and that he probably did not have mononucleosis the year before but a manifestation of AIDS. In an effort to reassure Sean, the doctor told him that AIDS was fatal in only 10 percent of cases. Such was the state of knowledge at the time. But Sean, who had already seen many of his friends stricken and die of AIDS, was more realistic. He saw his own plans for the future grow dim.

If my son perceived a contradiction between his homosexuality and being a devout Catholic, he never discussed it with us. I presume he considered this to be a private matter between himself and his Creator. He felt his homosexuality was a natural condition over which he had no control and one with which he lived but would not have chosen. We knew he was a homosexual, but it was not generally known. Certainly there was nothing in his demeanor to suggest that he was.

He continued to serve as an acolyte and to guide and train the altar servers. By 1989, however, he became so ill that he could no longer go to church. He begged us not to reveal the true nature of his illness, fearing that some members of our predominantly conservative parish would judge him harshly.

His health deteriorated. He began to experience the effects of neuropathy, which attacked the nerve endings, making it painful for him to walk. Ceglomeglovirus dimmed his vision and finally blinded him. Toxoplasmosis affected his brain, especially his short-term memory. He was hospitalized several times, but he pleaded with us to care for him at home. He had seen too many of his friends die in the hospital. We moved his bed into the living room where we could be with him at all times. A home-care nursing service gave him frequent blood transfusions and intravenous saline solutions when he became dehydrated because of his raging fevers.

His mother cooked him his favorite foods, but he could rarely keep them down. When he could no longer take food by mouth, a permanent catheter was surgically implanted in his chest, through which he could receive fluid nourishment, have blood drawn or transfusions given, and receive intravenous medication. The nurses trained me to give him the multitude of medications he required throughout the day and night, including

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those that had to be injected.

Sean's friends rallied around him, visiting him at all hours to keep up his spirits. He brightened considerably during these visits and we were grateful for his friends' attentions.

But then, on October 6, 1990, Sean died.

He endured terrible affliction without complaint, strengthened by his faith. He was courageous to the end.

Released from our pledge of silence, we wrote an obituary that stated Sean had died of AIDS and that he left not only grieving parents but a companion who loved him dearly. At his memorial service, in view of the fact that it was at last publicly known that Sean was a homosexual who died of AIDS, we were concerned that few parishioners would show up. After all, until that moment there had never been prayers for the intentions of people with AIDS or any acknowledgment that the AIDS crisis existed. But the church was full to overflowing, and every priest Sean had served attended and concelebrated the Mass. We were overwhelmed by the wave of sympathy expressed by the parishioners.

I believe that Sean brought home to the parish, probably for the first time, that this terrible plague of AIDS was in our midst. That if he, someone they admired and loved, could die from it, then so could others. That they, as parents, might have to cope somehow with the ordeal we had endured. Perhaps this realization, this awakening of the parish to AIDS, was Sean's gift to the community.

What *can* be done about AIDS? Certainly a cure is not imminent. While research scientists and physicians are charged with the primary responsibility for finding the means of preventing the disease and for curing those who have it, public concern must drive and support such an effort. That task rests with all of us.

But there is yet another, more personal task. Each of us must demonstrate compassion for those who have the virus and give loving care to those whose minds and bodies have been invaded by the opportunistic diseases which accompany AIDS and inevitably lead to death. Above all, we must not push our sons and daughters, sisters and brothers away. To do so is to create resentment and despair on both sides.

Each of us must find some way to help. For our part, my wife and I have come to realize that the victims of AIDS are not only those who are infected and die of the disease, but those who love them and survive. To express our appreciation to Sean's friends who came to be with him when he was so ill, we have made it a practice to invite them to our home on a regular basis. Some of them are HIV positive; some others have been stricken with full-blown AIDS. One or two have been expelled from their homes by parents who cannot accept the fact that they are homosexual. This is the most tragic situation of all: young people being denied parental love and support when they need it most.

Some of the original group have died of AIDS; others have been brought to us by their friends. All of them know that we understand that we are all God's creatures and that we love them. Our house is for all of them, a home away from home, a place where they are always welcome.

Meanwhile, we pray to God for mercy, strength, and support.

ROBERT HOPKINS

Robert Hopkins is the president of the Harry Hopkins Public Service Institute in Washington, D.C.

OF SEVERAL MINDS Sidney Callahan

WHY I CHANGED MY MIND

THINKING ABOUT GAY MARRIAGE

Last month I came out of the closet and confessed at an evening lecture that I believed that homosexuals should be allowed to marry. The morning after I had second thoughts, but I'm afraid my reconsiderations were mostly the result of cowardice and churlishness.

First the cowardice. Yes, I undoubtedly dread getting into arguments, especially with people I admire. I'm also distinctly uneager to be harassed by true believers playing punitive hardball—whether on the right or the left. Already I've been denounced and disinvited for being a feminist, and been greeted by banners unfurled to protest my acceptance of birth control, this while delivering a prolife speech at a Catholic conference. Yet in other venues I've been picketed, booed, hissed, and raged at by abortion advocates. (At least the latter episodes have the excitement of being thrown to the lions in the arena.) Still, do I need to get into one more religious and cultural donnybrook?

As for churlishness, I must say that as much as I hate being disliked, I loathe even more being approved of by certain groups. Who wants to end up on the same side with aggressively secular ideologues? And how unappetizing to aid and abet militant gay groups who engage in gross anti-Catholic tactics? Most of all I hate agreeing with those mindless religious types (I have my little list) who regularly seem to sell out their Christian birthright, along with the lives of the unborn, for a mess of PC pottage.

Unfortunately, flailing about and grinding one's teeth availeth naught, it gets you nowhere. The only way out of moral paralysis is to forget extrinsic political considerations and enter into the necessary struggle. If we want to bring forth a Christworthy, coherent sexual ethic for the twenty-first century then we must all think hard, pray hard, and seek God's Spirit of Love and Truth. Where? In all the familiar places: in Scripture, in tradition, in natural law reasoning, and in the signs and sciences of the times. So what is the gospel truth regarding homosexuality?

At this point I've read thousands of

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pages written by assorted experts and theologians giving their views on what constitutes an adequate moral, legal, scientific, and/or scriptural-theological approach to homosexuality (including recent *Commonweal* exchanges). But since I'm in the confessional mode let me own up to the fact that I also try to decide difficult moral dilemmas by praying, meditating, and naively imagining what Christ would have done and wants now. If the mind of Christ is in us, we must be transformed rather than being conformed to the world.

As I try to draw all these various strands of thought, imagination, and prayer into some order, I find myself diverging from official Vatican teaching. Yes, we are all told to look upon homosexuals as equal children of God who must be protected from assault, bigotry, and infringement of their civil rights. Indeed, Christ loves and includes the gay in his kingdom. And almost everyone on all sides agrees that homosexuality is not freely chosen but a given condition. So, too, all acknowledge that personal qualities and the call to holiness are not determined by sexual orientation. So far, so good.

But why is it intrinsically disordered for homosexuals and lesbians to act on their sexual orientation, even if they would fulfill all the same moral conditions required of heterosexual marital activity, such as commitment, love, and lifelong fidelity? After all, some heterosexual marriages need not, nor can be biologically procreative. I just cannot imagine Christ asking such an unequal sacrifice from homosexual persons with beloved partners who have not been called to vowed celibacy.

Those who do assign this burden in Christ's name describe the deprivation as morally and religiously necessary. They speak of maintaining the family for the common good, of how gender complementarity is necessary for marital bonding across genders, of the importance of embodiment and being a part of the ongoing procreative narrative. The pope denounces "the false families" of homosexuals and lesbians. Well, of course, I agree that a viable society must support and privilege procreative families, but I don't see why this positive support necessitates barring the marriage of gay couples.

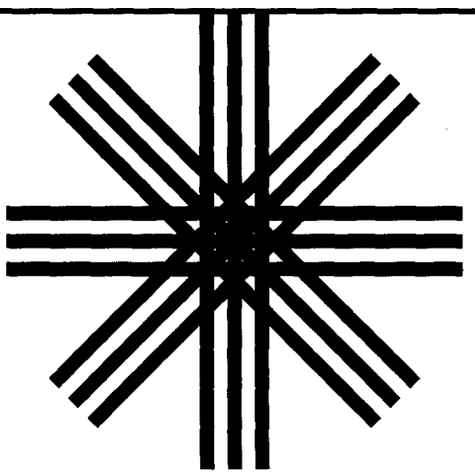
Good Catholic parents of adult children I know welcome their gay children's lifelong partners as "in-laws," who are part of their family. Doesn't it seem a confirmation of the Christian teaching on the goodness of monogamous marriage that gay couples eschew promiscuity and desire to regularize and ritualize their loving commitment to one another?

Assertions about the complementarity of the two genders appear to be false to new psychological insights on the range of gender variability and overlapping similarities, as well as to the Christian call to transcend gender in Christian unity where "there is neither male nor female." If the symbol of Christ as male bridegroom in union with the church is used too literally as the form for marriage, then could only females (as brides) be church members? (Rigid overestimation of gender is also the fallacy that bans women from ordination.)

Any two persons must struggle to obtain loving unity, but when you take into account the multitude of inevitable differences in temperament, intelligence, taste, talents, and moral maturity, gender can be a minor consideration.

Affirming embodiment and respect for the symbolic language of the body is important, but I'd say the grammar book includes a wider range of syntax and idiom than is officially published. In fact I've come (finally) to see the rejection of loving gay erotic expression as a rejection of embodiment, and another form of resistance to the goodness of sexual desire and pleasure. For most persons, gay or straight, chaste friendships and general charity cannot produce the same intense intimacy, bodily confirmation, mutual sanctification, and fulfilling happiness that come from making love with a faithful partner. (The inability of some celibates to accept the importance of freely expressing sexual and erotic marital love has produced the birth control impasse.)

Other rejections of the body also may



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be surfacing when whatever homosexuals do together is considered especially revolting and repugnant. Our stringent toilet, cleanliness, and touch taboos enforced in infancy can linger on in the feeling that certain parts or functions of the body are intrinsically disgusting. Some of the anti-gay articles I've been dutifully perusing are revealing. They begin with warnings against the "gay conspiracy" and "homosexual cult" that aims "to seduce our children" into its diseased and perverted "clutches." Then follow references to "debased," "mutual self-gratifications," "through what very definitely and clearly is nothing but deathhole...it yields only dead matter." Lesbians are absent from these phallocentric fulminations, presumably because they possess no "life giving or sharing organ" to end up in the wrong orifice.

Well, it has taken centuries to get over the ancient convictions that menstruating females are unclean and ritually pollute the altar. If, that is, we have gotten over it. When you see some of the heated resistance to women's ordination, one wonders. Oh Christ, if we could only take your words to heart and learn what defiles a person and what doesn't. □

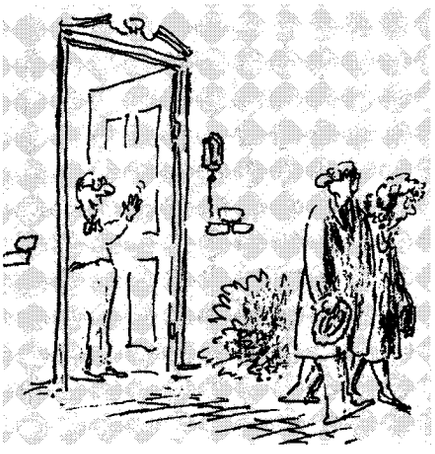
OF SEVERAL MINDS Liz Leibold McCloskey

NEIGHBORS NEED NEIGHBORS

AND VICE VERSA

Walking home from the park one day with Brian, my son, and his cousins, Kate and Jack, I had a troubling conversation with a neighbor of mine. As the little ones and I were crossing our street laden with a Fisher Price scooter, a double stroller, and countless toys, my neighbor turned the corner in his car, scowled at us without slowing down, and mouthed, "This is a street." He had never before spoken to me, so when he pulled into his driveway, I took the opportunity to initiate a conversation (which, admittedly, I began with a hint of sarcasm) by saying, "Help me out with my dilemma here. I live on this side of the street, the park is on the other, I haven't yet figured out how to get home without crossing the street."

What became clear as we had our first and only conversation in two years was that he viewed his relationships with other neighbors strictly in terms of rights, and clearly his were being violated. As a tax-paying Arlington County resident he has a right to free ingress and egress to his driveway, without encountering children and bicycles. As a homeowner on our dead-end street he has a right to some peace and quiet and privacy, and he shouldn't have to endure the daily sound of kids' squeals and tire wheels. As a man prosperous enough to afford a large lot and sizable house, he made it clear to me that we should not have had children if we could not afford a house big enough for them to play in. His back porch sits sideways to the street, and he viewed the amount of time Peter and I spend on our front porch in the summer playing Scrabble with friends or eating dinner as an abuse of our privileges as homeowners and an invasion of his privacy.



"So good of you to come, and good of you not to stay very long."

I suppose county citizenship and home ownership confer certain rights, but a neighborhood that is built solely on that foundation is sure to crumble. In fact, many neighborhoods have. When I was growing up, the whole neighborhood was our playground. Yes, we played in the street. We played at one another's houses. We even went out of our neighborhood and explored the woods and the creeks and the ponds. As I remember it the other families in the neighborhood all felt some responsibility for all the children.

It is that element of responsibility for each other that seems so diluted in communities today. If it is true that families provide the most basic setting for learning values, neighborhoods tie schools for a close second. If everyone is looking out only for his or her own rights in a neighborhood, it does not bode well for the development of civic responsibilities that go beyond the home and neighborhood.

That is why the deterioration of urban neighborhoods is so tragic. There, neither are rights protected nor responsibilities embraced. In some neighborhoods, a person does not have the simple right to walk down the street. For some people, daily struggles are so depleting that there is no room for taking responsibility for others. Hence the "values void" that leads to one teen-ager shooting another teen-ager for pushing him in the hall at school. If the dominant neighborhood ethic is every kid for himself, that is barren ground for any sense of neighborliness and community values to take root.

I live in a real neighborhood, one with a little park and grocery stores (and a video store!) you can walk to. Many of the houses have front porches, where you see little trikes and strollers scattered. We have a summer picnic, an Octoberfest, Christmas caroling, a neighborhood-wide yard sale in the spring. On our block live a carpenter, a gay couple, a young single mom, two Indian families, a French family, a few intergenerational and unique family arrangements, and plenty of young professional couples and their children. There are young families recently arrived as well as those who have lived in the same

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house since the early part of this century. What is striking is that, for the most part, people do take care of one another. Our most recent neighborhood news reported many "random acts of kindness" by neighbors who helped other neighbors shovel walkways and sidewalks and dig cars out of the snow. Last winter, walking down the street with Brian, I mentioned to one neighbor that I needed to get to the store and get my son a decent winter coat. The next time I walked by her house, she ran out with two snowsuits that her twins had worn. Once as I was walking home from the store, pregnant with Collin, a neighbor invited me in to raid her closet for maternity clothes. We have a neighborhood park where parents, babysitters, and kids gather daily (weather permitting) and play together. When I first moved in, one neighbor left a plant on our porch. For Christmas, the French chef next door makes exquisite candies and delivers them to the surrounding houses. I could go on....

The warm glow I feel about my neighborhood is also helped by the fact that we have gathered many a family member around us. Three doors down are my sister, brother-in-law, and their three kids; from our back porch we can see the home of my parents-in-law; across the street are my second cousin and her husband; down the street is my best friend; and further down the street are my brother-in-law's brother and his wife.

As we've begun the task of raising our two sons, my experience is that it takes all these other people to help them flourish (and to help us survive!). Whether one has children or not, there is no debating that it is good to have nice neighbors who will smile, help you out, or respectfully leave you alone. And just as growing up in a loving family yields a secure foundation for loving others beyond one's kin, so, too, can living in a benevolent neighborhood anchor a sound ethic of responsibility toward others beyond one's community. That is why the commandment to love your neighbor is so basic.

Now don't take all this to mean that I will be expecting my curmudgeonly neighbor to join me for tea and muffins in the afternoon. But I do hope our conversation enlightened both of us about the ways we can do our own part to make the neighborhood a comfortable place in which we can all thrive. I know he jealously guards his privacy, and I should honor that. He knows we want our children to play happily and safely in the neighborhood, and he should respect that—not because he has a right to his privacy or our children have a right to ride bikes on the street, but because as neighbors we are responsible for one another's well-being. My neighbor may see himself as a lone advocate for his rightful due, but I see him as a crusty uncle, connected to me and the rest of the neighbors whether he likes it or not. □

OF SEVERAL MINDS John Garvey

A WONDERFUL BOOK

DAN CALLAHAN ON DEATH

I know Daniel Callahan but until I read *The Troubled Dream of Life: Living with Mortality* (Simon & Schuster, 1993) I had not read any of his books. Callahan, director of the Hastings Center and a former editor of *Commonweal*, has written a profoundly important book, which looks not only at the social politics we bring to the question of death and the rights of the dying, but at the most ancient and central question of all: What does the fact of death say about life, and about the kinds of people we should be? Only by confronting the ancient questions honestly will we be able to deal wisely with the medical and political questions which are currently the subject of debate.

Callahan challenges a lot of modern assumptions, both medical and philosophical, and his discussion toward the end of the book of the ways in which treatment may be limited will provoke controversy. His opposition to euthanasia is entirely persuasive and rigorously thought through: the chapter on euthanasia is the best single piece of writing I've seen on the subject. In a fine chapter, "Living with the Mortal Self," (see *Commonweal* July 16, 1993) he explores five ideas, all of which, he says, he believes are true:

1. Self-respect and integrity need not, and ideally ought not, to be grounded in a capacity to control our lives and mortality.

2. Pain and suffering can make life a misery, but an obsession to manage and be relieved of them can corrupt us.

3. The richest self is not one that seeks an optimal stage of life but that is protean enough to cope with every stage, whatever it brings.

4. Human beings will and must be a burden on one another; the flight from dependency is a flight from humanity.

5. There is no inherent relationship between a control of one's death and the dignity of that death.

The Troubled Dream of Life explores these ideas and their implications, and moves from the philosophical to the practical with remarkable ease but not glibness at all. Where Callahan is divided or ambivalent, where thinking could legitimately take us along two divergent paths, he is honest about the ambivalence.

There are a couple of areas with which believers will find it necessary to disagree—for example the idea that "meaning can be created and it is of our nature to do just that"—but Callahan notes the disagreement of Paul Ramsey with this approach to death. Ramsey wrote, "There is grief over death which no human agency can alleviate." Callahan notes the force of the argument that death is more than "a part of life, to be accepted, and the grief that goes with it, to be endured." This latter is his own view. At another point he writes "Whatever meaning we find in our dying and death must come from within ourselves, though we may and probably will, of course, draw upon religious and other traditions for help." But what is within us will have been profoundly formed

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by those traditions, or they will not be of much help at all. In both these cases, the assumption is that human beings create meaning and meaning sometimes finds itself enshrined communally in religion but is, even there, a human creation.

These assumptions, however, are far from the center of the book. Callahan asks questions about death that go to the heart of what it means to be alive: "How should I want to live in order that I may die well?" What we make of inevitability is essential here. Callahan's questions challenge our society's myth of autonomy and independence as the greatest goods: "Why can we not bear a self-understanding that would seem to make us less than our own creations, our own possessions?...It is a profound error to think that we are somehow lessened as persons because dependency will happen to us, as if that condition itself necessarily robbed us of some crucial part of the self. It does not. There is a valuable and necessary grace in the capacity to be dependent upon others, to be open to their solicitude, to be willing to lean upon their strength and compassion. To be a self is to live with the perpetual tension of dependence and interdependence. The former is as much a part of us as the latter. The latter may just feel better, and surely flatters us more. It still remains only half the story of our lives, however."

This book became my Lenten reading—not on purpose, but the accident was a fortunate one. Nothing I have read recently is so honest about our lives as limited and mortal, or as helpful about what the consequences of that understanding should be. "We hate death, I believe, because it means the end of the life that has given us what we have, and what we can become. We no less hate death because it is the final, the crowning, reminder once and for all that we are finite, bounded creatures. We see death at the end of the road in our lives, but it is forever foreshadowed in living our daily lives. We cannot have everything we want in life. We cannot have our dreams live on forever, even if we can achieve them for a time. We cannot stop things from going wrong, however much we dedicate ourselves to control. Could we bear death better if life were perfect? Probably not. The pain of separation from life would be all the greater. It is our human condition that is the problem, of which death is the great token. But only the token." □

Signs & wonders

The Gospel accounts of Jesus' miracles make it clear that there is something almost ironic about them: the blind see, the paralytics walk—but what really matters (and what looks so much less significant to the onlookers) is that their sins are forgiven. It takes these overt, dramatic demonstrations of Jesus' power to indicate that he has the authority to do the really important thing: the forgiveness of sin, breaking down the barrier that keeps human beings from their fullness, their true vocation, which is to be in communion with God.

Sometimes forgiveness takes on flesh in ways that reveal it as the miracle it is. On March 17 two priests returning from a meeting of the Greek Orthodox Archdiocese were killed as they sat at a stop-light in Queens, New York, waiting for the light to change. Lisa Bongiorno, apparently high on PCP, drove into their car, killing both men instantly. The response was outrage, tabloid headlines with phrases like "priest killer." Bongiorno, a legal secretary, with a seven-year-old daughter, had no previous record, but said she had been using drugs for ten years. She has been charged with murder and several other felonies.

The deaths hit close to home: people in my parish knew Father Demetrios Frangos and Father Germanos Stavropoulos. Father Germanos was particularly close to some of them. His mother supplied flowers to our church, and lived with her son in our neighborhood.

George Frangos, Father Demetrios's son, responded to the death of his father in an astonishing way: "The last thing my father would have wanted was to make an example of [Ms. Bongiorno]," *Newsday* (March 26) quotes him as saying. "This is a woman who is anguished and troubled to begin with and the drugs in her own mind seem to keep her life together. She didn't set out to kill two priests." Frangos has offered to provide a lawyer to help her fight the murder charges.

Lisa Bongiorno's parents attended the wake for the two priests and asked if they could speak with George Frangos. "They were stooped with grief," he said. "They looked almost crushed. All they could say is, "We're sorry, she is a good girl. She didn't mean to do this." Frangos wants Bongiorno to avoid a long sentence, for the sake of her daughter. "We have to look after the innocent one, the child. It is extremely important that her child be told that we forgive her mother."

George Frangos has mentioned his father, and what his father would have wanted, in several interviews with the press. What this story shows, I think, is not only a man who is extraordinarily capable of forgiveness. It also shows how good can work almost by a kind of contagion. There are saints (Basil is one of them) whose families were filled with saints; there are communities who can be moved to generous action by one or two holy people. Saint Seraphim of Sarov said, "Acquire inward peace, and thousands around you will find their salvation."

Close to the time of the death of the two priests there was a report of a weeping icon at a Coptic Orthodox church in Brooklyn. Like the healing miracles of Jesus, this may indeed be wonderful, but only if it points to something deeper. George Frangos's response to a terrible personal loss is the greater miracle.

JOHN GARVEY

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THE OTHER VICTIMS OF PRIEST PEDOPHILIA

AN INHERITANCE SQUANDERED

JOHN J. DREESE

The constant reporting by the media of the sexual abuse of children and adolescents by priests has become a kind of Chinese water torture for me. Drop, drop, drop, drop, pause...then, drop, drop, drop, pause...drop, drop. Will it ever stop? Probably not in my lifetime.

There is a deep sense of shame. Why do I feel shame? I feel shame because I identify with the Roman Catholic priesthood. I have never wanted to deny who or what I am. I never wanted to hide the fact of my being—being a priest. I was not ashamed of it.

As priests, we did what we could to build the brotherhood of priests. By our ordination we were granted respect and deference, not earned and not merited, but from the overflow of respect that other priests had won for us. We tried to honor their example and the fraternity. While we understood the flaws and failures, the sins and weaknesses of our brother priests, we stood with them and for them as they gave their best for the service of God and the church.

Now we find among us a growing number of priests who have betrayed the confidence and trust that other priests have won for them. They have misused their positions of respect to defile, abuse, and steal the innocence of children and young people. We know that this is a sinful thing to do; the headlines and newscasts tell us that it is also a criminal thing to do. No wonder there is shame when we hear and read the news.

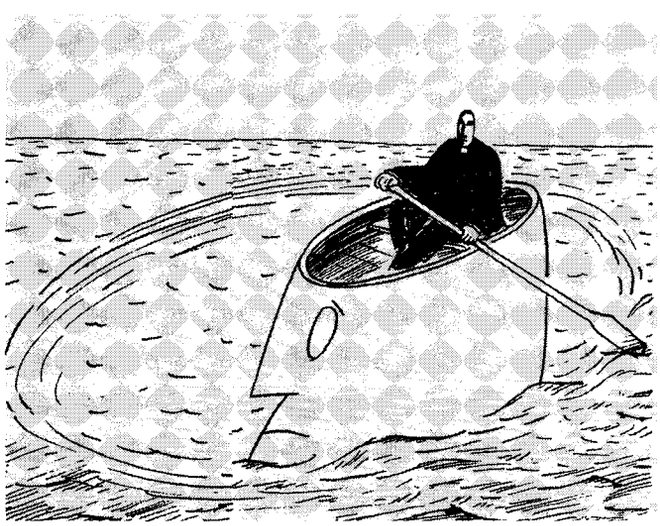
Roman Catholic priests have done this. If I identify with the Roman Catholic priesthood, I must be ashamed, saddened, and sickened by it all. To feel no shame, in light of all of this scandal, would be to feel a total lack of identification with the priesthood. In my guts I have always identified myself as a Catholic priest. Priesthood was not something I did, not a job, not a nine-to-five profession. Priesthood was my life; it was me. Priesthood is who I am. I cannot stop being me. For centuries the church has understood and taught that the person ordained undergoes an ontological change.

If priesthood was only a job, a profession, a thing I did; if when the collar was off, office hours over, I was just the same as anyone else; if my private time was my own; if I was not the church's servant in the ministry of leadership, then perhaps I would not identify with the guilt and shame of this pedophile-priest scandal. But I cannot disassociate myself, since I do not believe in shedding the identity of being a priest.

The other way of avoiding the pain and the shame is to adopt the individualism pervasive in our culture. I could say, "What I do is my business and what they do is their business; it has nothing to do with me." That attitude is completely contrary to what biblical revelation teaches. I cannot accept, therefore, that mind-set. With the theology of priesthood I have internalized, there is no way to avoid the sense of shame and the feelings of hurt and embarrassment brought on me by my brother (would that I did not have to use the word) priests.

Mixed with the feelings of shame and embarrassment there is great anger. I am angry at the priest-pederasts and abusers. Why did they do what they did? They knew the meaning of celibacy, of chastity, continence. They knew the importance of innocence in the young and the scars of scandal to the community. Ignorance is not an alibi if they attended any kind of theological school. And they all did!

If they knew what they were doing but could not control a compulsion to act out, then they were clearly sick. At this point



JOHN J. DREESE *is a priest of the diocese of Columbus, Ohio.*

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they had two choices: to get professional help or to get out of the priesthood. Professional help would have avoided further pain for all who eventually became involved. Getting out of the priesthood would have taken them away from the occasion of sin—principally, accessibility to youngsters among altar servers and school children. Leaving the priesthood would have taken away the possibility of scandal to the church. But it appears that the priest-offenders were not thinking about anyone but themselves. If pederasty, which I believe is the principal problem, is a self-centered and egotistical act and not brought under control, then it is all the more reason for shame and anger...and for pity.

Since the time of Augustine our tradition has taught us to hate the sin and love the sinner. That axiom is easy to say but hard to act on. It is especially difficult when it seems that the sinner in this case would bring down the entire world to satisfy his lusts or his sickness. He destroys the innocence of his victim, defiles the image of the church, betrays the trust of his fellow priests, all for his own sake.

This is a person I must love? Pity and disgust, I'm afraid, are the emotions I feel.

My anger is also directed at bishops. Why didn't they do something? It appears that they lectured priests about sin and suspended the guilty from sacramental ministry. Sometimes they sent them for medical treatment. But when the penance or treatment was completed, the pedophile was assigned to another parish, usually at a calculated distance from his last assignment.

After reassignment the pattern of sexual abuse often reoccurred. More innocent youths were victimized by the priest and the same pattern of penance and therapy and reassignment seems to have followed. Why was Father Pedophile not fired from the priesthood for good? The answer to that question is not clear to me. Looking back to the '60s and '70s the answer seems to have been, "A bishop cannot fire a priest." This was a common interpretation of canon law.

I remember consulting a canonist friend at The Catholic University of America about a problem priest from another diocese in the early '70s. He told me that one of the great problems in the church was the fact that there was no way that a bishop could fire a priest. Since Father Pedophile could not be fired, he was recycled. As a result, the pattern of abuse of children continued, and continued, and continued. For this, we now pay in many ways—ruined lives, shame, scandal, divisions in our parishes, and huge monetary fines imposed by the courts.

What about me and my brother priests? Where were we when all this abuse was taking place? If to some extent we "knew" that priests were engaging in sexual abuse of children, why did we stand by and do nothing? What did we "know"? Thinking about these questions causes me to be angry at myself and at my brother priests.

There were certain priests that always had a cluster of boys around them. We knew that and comments about this situation were exchanged among priests. Usually, of course, there was never clear proof that Father was engaged in actual sexual abuse. Rash judgments were discouraged. We held to the admonition, prevalent in our society, that we were to give suspicious persons the benefit of the doubt. We wanted to expect only the best of our fellow priests.

In one of my early assignments the senior associate was known to be a friend of the boys in the parish. He always had a couple of junior high school boys with him. One evening, when I entered the rectory, this priest was in the living room with two of them. He told me that they were busy and asked me to leave the living room. I left, but I thought it strange that he would order me out to make room for two teen-agers. This same priest was considered a guru to teen-age boys in other parishes. Years later he was convicted of sexually abusing boys and served a prison sentence. What I suspected, but did not want to believe, had happened. Suspicion, however, is not proof. In today's climate I would confront the man. In 1963 I gave him the benefit of the doubt, and, as far as I know, so did everyone else.

I knew of another case where a priest classmate of mine was known to be an active homosexual who (it was said) acted out his sexual desires with young men. He was moved from assignment to assignment (it was rumored) because of his sexual activity. We were appalled to see him moved, allowing his sexual offenses to continue (that is, if the rumors were true). This occurred in the early '60s. As his peers we wished that he would leave the priesthood. Finally he left, to our relief, five or six years after ordination.

During this same period of time, a priest of my age openly admitted that he was active homosexually with an adult and that he had been active with high school boys. After his period of involvement with high school boys was discovered, he had been reassigned to another parish. He eventually chose to leave the priesthood, again to our relief. That the diocese was powerless in the face of such open perversion by some of its priests is almost impossible to comprehend today; yet, it was.

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Or, at least, it appeared that it was.

Other suspicions and surmises that have come to me in my thirty-four years as a priest did not seem worthy of aggressive action. I did not want to be judgmental. I knew homosexual priests who were living exemplary celibate lives. To accuse a person of pedophilia is a most serious charge. In retrospect, it might have been better to have acted aggressively in a couple of cases. I am angry at myself for this failure of judgment. Yet, even today certain priests in the diocese are under suspicion according to the clerical grapevine. What should be done with this "information" or "gossip"?

Today, of course, the media and TV, especially CNN, seem more and more ideological. "Roman Catholic priest," or "Father," are consistently used in their reporting. Rarely is the generic term of minister or simply, priest, used. Shots of the inside of a Roman Catholic church, of angelic altar boys in cassocks and surplices, and first communicants dressed in pure white dramatically highlight the bold betrayal of this crime. The anger I feel about the reporting of the priest pedophile cases needs no amplification. Cameras seem to search for ways to heighten the hurt, to magnify the mess. Is this responsible reporting, is it sensationalism, or is it Catholic bashing?

I know it is in some sense unfair, but I harbor anger at juries for their excessive awards to victims of pedophiles. Do we really think as a society that monetary reward will make victims and their families whole again? The victims acted courageously in reporting the priests; I thank them for their courage. I wish they had done it long ago, closer to the time of the events. I agree with them that the priest-offender should be punished. I want them punished, too. I also understand the victims' need to tell their stories, and how important it is that they are finally able to speak out. I believe that the church should help them in every way possible.

But what constitutes genuine help? I question the huge sums of money the church is being asked to pay to victims for the crimes. If some victims hate the church, I can understand their feelings of vindictiveness and their desire for retribution. But if the goal is to recover health and wholeness, is pandering to desires for revenge and ratifying resentment real healing? Financial settlements seem like a simplistic and illusory response to a complex and emotional issue.

The abused children lost their innocence, much of the joy of childhood, their ability to have a positive self-image, and perhaps the possibility of healthy, loving sexual relationships as adults. These are horrible losses. No price tag can be placed on them. But should a diocese be held financially responsible for the criminal acts of individual priests, especially in cases where no negligence is involved?

If only we could get all the cases on the table once and for all, and be done with it. Must we all be tortured for what a James Porter did to children in North Attleboro, Fall River, New Mexico, and Minnesota? He has acknowledged his guilt and is in prison. This he deserves. But at what stage does the telling and re-telling of the story cease to be therapy, healthy, and helpful? Ever?

I think everyone knows that in 1994 things are not what they

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were in 1960. Yet the media and those who hang on their reporting continue to judge 1960 actions by 1994 standards. Let me explain. Today, alcoholism is widely recognized as a disease. Thirty years ago alcoholism was considered a moral failure, a character defect, but not a disease. "The Pledge" was still being administered to those who drank too much. The affliction was not covered by health insurance. If alcoholics were taken to the hospital they were often placed in the psychiatric ward. Such treatment for alcoholism is now considered obsolete, even barbaric. Yet, it was once common practice. Other examples of significant differences in mores and medicine between 1960 and in 1994 could easily be cited.

In 1960, and even as late as 1980, pedophiles were treated, first, as *sinners*, and the treatment for sinners was administered to them. When the notion of sin no longer seemed adequate, pedophiles were considered to be sick, and the recommended treatment for psychologically sick people was prescribed. Today, abusers are treated as criminals and the recommended punishment for criminals is enforced.

Were the church and the bishops wrong to see pedophiles as sinners? Was it *really* moral negligence, or was the church naively imposing an erroneous diagnosis passed on to it?

When the church came to see pedophilia as a sickness, the bishops turned to experts in psychology and psychiatry who then knew little about effective treatment. Often, I am told, the professional counselors approved and recommended the priests' reassignment in the diocese. Was the church wrong to follow the advice of medical experts?

Today, we see pedophilia as a crime and seek punishment. The victims of the crime and their lawyers demand justice, and this involves large fees for attorneys. What are we doing by treating pedophilia primarily as a crime? Are we contributing to the recovery of the victim or the criminal? The damage remains. We may have made it more difficult for the pedophile to harm other innocent people, for a time, but there is recidivism among sexual deviants. Where are we in all of the murky mess? What counts for progress in this matter? I, for one, really don't know.

My anger is mixed with sadness. My sadness comes from the strong strains of selfishness, self-interest, revenge, vindictiveness, and sensationalism that linger in the air after every new report. Priests who have not committed the crimes are deeply hurt. A heavy pall hangs over the life of the priesthood. Priests find their duties to be difficult and joyless. Some are ashamed to wear a Roman collar. Others would like to wear a sign announcing, "I am not one of them." Phone calls are constantly exchanged about the most recent charges. Newspaper clippings are mailed by priests to their confreres detailing the most recent settlements. As a group we are slightly obsessed with this sad scandal.

This is all happening at a time when the priesthood seems to be threatened by a lack of candidates for ordination. Most priests are relatively old and have long borne the burden of the day. They are ready to slow down and pass the baton to the next generation. But there is no next generation. Their own lifetimes of service, fairly faithful for the great majority, are now tarnished and besmirched by the constant drone of the TV reporting: "A Roman Catholic priest of the diocese of_____was charged today with sexually abusing a young boy while serving as associate pastor of Saint_____Parish." Drop, drop.... □

David Appelbaum

The Earthworm Jar

The basement door opens
& earth spills out,
fat blood-red earthworms
running like skinned snakes
out of a garbage hamper.
We live over their house.

How did they get there?
Old man by the mailbox heap
finds a ball of them
glistening in dew
& thinks, who passes through
a worm could be a chief
or sage,
& puts them in a pocket.

They are almost lunch
to a frying pan
until grandfather
takes them to their jar.
He covers them with leftovers
fit for a king.
How else to feed who wait
underneath for our meal?

When I go down
the soft, spongy stairs,
blood rushes in my ears.
My job is to bring the slops.
It is dark,
the way just before being
rescued from a dream
where my mouth
is stuffed with earth.

When I go down,
I think I hear
lemon peels dissolving
in their bodies.
I think I hear
how a heart
lives in a jar.

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SHINE ON, HARVEY BLOOM

WHY ALLAN SHERMAN MADE US LAUGH

KEN KALFUS

There was once a time in American life when being Jewish was, in itself, a funny thing. A Jewish name was enough to make its owner a comic figure in a joke, a story, a film, a television show, or a song; Jewish delicacies were funny; Jewish mannerisms were funny; Jewish ways of speaking were funny—well, enough already, you get my point.

The time I'm thinking about is the early 1960s, the formative years of my own Jewish childhood, around 1962, say, when I was eight and trying to learn what was funny and what was not. In October of that year an overweight, bespectacled, nasal-voiced comedian named Allan Sherman produced a record album that parodied popular American songs by making them about Jews and Jewish situations. It was funny. At the time the fastest-selling item in the history of the record industry, *My Son, the Folk Singer* ultimately sold 1,250,000 copies and supplied the soundtrack (or at least the lyrics) to my childhood and adolescence. Allan Sherman became a household name. A musical based on his song parodies recently enjoyed a seven-month run Off-Broadway.

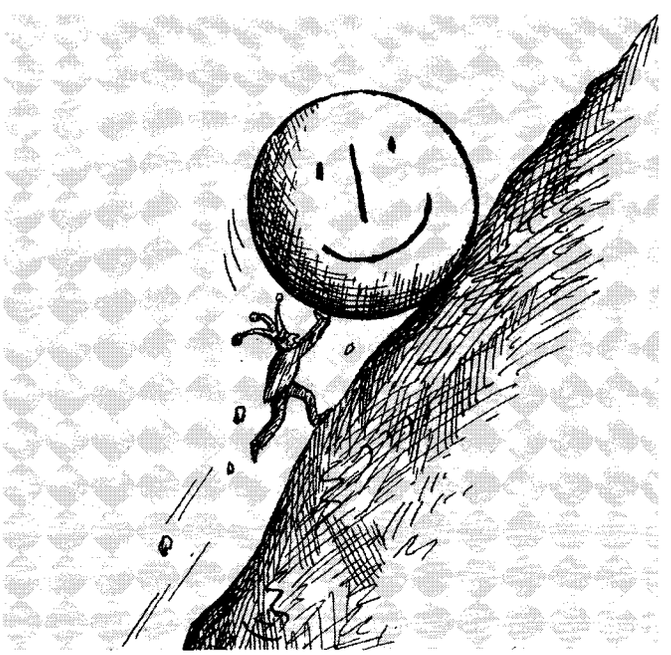
Sherman, an out-of-work Hollywood television producer (he and a colleague developed the game show "I've Got a Secret"), had been entertaining his friends for years by setting comic Jewish-oriented lyrics to popular songs like "There Is Nothing Like a Dame":

We got herring sweet and sour,
We got pickles old and young,
We got corned beef and salami and a lot of tasty tongue,
We got Philadelphia cream cheese in a little wooden box.
What ain't we got?
We ain't got lox.

When he approached Warner Brothers in 1962 about recording these songs he was told that, because of copyright problems with composers who preferred the original lyrics, he should employ music in the public domain. It took him three weeks to turn the Harry Belafonte hit "Matilda" into "My Zelda," relocate the gunfight of "The Streets of Laredo" to "The Streets of Miami" ("I shot and Sam crumpled, just like a piece of halvah"), transform the "The Yellow Rose of Texas" into "I'm Melvin Rose of Texas," and, to the music of "The Battle Hymn of the Republic," tell the story of garment cutter Harry Lewis, who died while "trampling through the warehouse where the drapes of Roth were stored."

The appeal of these songs was peculiar. For decades American Jewish comedians had been satirizing Jewish life, but their jokes had been directed to primarily Jewish audiences in New York City and the Catskills. Jewish writers and comedians like Sid Caesar and Milton Berle heavily populated the television industry, but the subjects of their wit were rarely Jewish. Sherman made Jewish humor about Jewish people mainstream humor.

At first glance it is not clear why an ethnic minority would enjoy humor that mocked it, and why it would want to share this humor with the majority group. Did the success of Sherman's lampoons of urban Jewish mores represent the emergence of Jewish self-hatred? Or was it a function of Jewish confidence and security in America? What were the conventions of the genre? Were Jews and non-Jews laughing at the same things? What was so funny? And why did *I* laugh? I didn't know half the songs on which Sherman's parodies were based until I was in



KEN KALFUS *'s criticism has appeared in the* New York Times Book Review *and the* Village Voice Literary Supplement. *He also edited and wrote the introduction to Christopher Morley's* Philadelphia *(Fordham University Press).*

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my twenties.

In *My Son, the Folk Singer* and the seven albums that followed, Sherman won most of his laughs by putting Jews into unaccustomed roles as heroes: the Jewish astronaut ("Shine on, Harvey Bloom"), the Jewish gunslinger and the Jewish Don Juan ("The Kiss of Meyer," a tango). The lament of Sherman's knight, Sir Greenbaum, was sung to the music of "Greensleeves":

Said he: "Forsooth, 'tis a sorry plight
That engenders my attitude blue-ish."
Said he: "I don't want to be a knight
That's no job for a boy who is Jewish."

This is such a predictable lyric that the live album's concert audience began laughing after the second line. Jews (then, not now) associated themselves with a lack of knightly heroism.

This was not such a bad thing. American society had begun to doubt the conventional notions of heroism and of what constituted admirable character. The modern information age devalued brawn and physical prowess. Jewish humor of the era suggested that virtue could be found in intellect and street-wise craftiness.

The society had even begun to doubt the virtues of success. When we look back at the early 1960s and recall America's confidence in itself, in its large cars, its sparkling technology, and its moral goodness, we may forget that many of our entertainments stressed the lovability of the loser. The antiheroes of my childhood included the 1962 Mets (40 wins, 120 losses), Alfred E. Neuman, and Charlie Brown, great film klutzes like Jerry Lewis and the bumbling cops, bumbling spies, bumbling sailors, bumbling soldiers, bumbling cowboys, and bumbling astronauts that populated our television sitcoms—shows that were written largely by Jewish writers.

While Jews before World War II were associated with a hell-bent-on-success, I-Can-Get-It-for-You-Wholesale ethic, afterwards they stood at the heart of failure, the most prominent victims of the twentieth century. The Jew's historic alienation from gentile society finally came into its own in modern times, when *everyone* became alienated. Modern man was Jewish man and modern man looked silly in the guise of the old heroes. He could kvetch as easily as Sir Greenbaum, "All day with the mighty sword and the mighty steed and the mighty lance/ All day with the heavy shield and a pair of aluminum pants." By demonstrating how hilarious the Jew might look in classic heroic situations, Sherman demonstrated how irrelevant any of us would look, thereby undermining the values that those situations celebrated.

In Sherman's songs, Jews transformed glorious situations like the winning of the West and space flight into pedestrian ones. Jews represented normality, quotidian life, the utterly prosaic—quite an ironic achievement for an ethnic minority that represents less than 3 percent of the country's population.

My Son, the Folk Singer expressed Jews' apartness from American culture, at a time when the culture itself was about to go counter. These gunslingers and knights were not from our past, nor from a past that still seemed relevant to the larger American audience of the 1960s. The fact that many listeners

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besides myself barely recognized the songs on which Sherman's parodies were based—including, for heaven's sake, "The Battle Hymn of the Republic"—suggests how distant we found ourselves from the supposed center of the culture. And this was not only true for Jews; non-Jewish youths with families of longer residence in the United States than my own were no longer interested in the standbys of choirs, glee clubs, and barbershop quartets. Nowadays, the general American population is hardly more familiar with the original verse of "Greensleeves" than Jews are; what's a greensleeve, anyway?

Rather than being an example of Jewish self-hatred, the songs expressed pride in Jews' apartness from the dominant culture, while at the same time celebrating their subversive influence upon it. Sherman wrote (but was never able to record) an entirely new set of lyrics to *My Fair Lady*, moving the story from London to New York's Lower East Side. There, a flower girl struggles to make herself understood: she speaks English too well. A Jewish speech professor bets a friend that, with his coaching on the pronunciation of English words, she'll be president of Hadassah within six months. As he gives her a short course on Jewish lifestyle, she asks him where Jews live. He replies:

We have often walked
West End Avenue
And you'll find us on a Parkway known as Mosholu
Living gaily there
Like Israeli there.
Oh it's grand on the streets where we live.
We've got Scarsdale men,
We've got Great Neck men,
And just lately we've been sneaking into Darien.
Strange new noses there.
Friends of Moses there,
Near the goys on the streets where they live.

On the jacket of *My Son, the Folk Singer*, Sherman declares: "These songs are what would happen if Jewish people wrote all the songs—which in fact they do."

This comment reflected the belated recognition of the Jewish role in American culture; since then, American culture has been forced to recognize the many other cultures that have fed and continue to feed into it. When Sherman and the other Jewish comics of the era began making their Jewishness a key element of their acts, they opened the way to the contemporary acceptance of multiculturalism.

This is not to say that Sherman was especially quick to embrace the counterculture; his later albums included dumb, cutesy generation-gap novelties like "Pop Hates the Beatles." His moment passed, as did a good deal of the money he had earned in his early celebrity. After his 1963 hit "Hello Muddah, Hello Fadduh," an anthem of summer camp misery based on the nineteenth-century Italian composer Amilcare Ponchielli's "Dance of the Hours," Sherman went into a decline, both personal and professional. It wasn't so much that his shtick was no longer funny, but that he changed his shtick, making it less Jewish. When in 1965 NBC signed him to do a television special, the network reportedly asked him to eschew ethnic references; the show bombed.

After twenty-one years of marriage, he and his wife Dee divorced in 1966. Sherman gained weight and his health suffered. In 1973, a few months before his death, Playboy Press published his rambling, myopic book, *The Rape of the A.P.E.*, which declared the end of the "American Puritan Ethic." More or less a view of the sexual revolution through the eyes of a middle-aged Hollywood cynic, the book is a messy hybrid of Lenny Bruce and Charles Reich. Perhaps if Sherman had lived longer he might have better understood the transformations being effected throughout American society. Since the late 1960s, the meaning of American Jewishness has been rewritten, for Jews and non-Jews alike. Even the old Jewish accent that Sherman sometimes employed has fallen passé—Israel's Six-Day War may have had something to do with reversing the image of the nonheroic Jew, but the 1973 Yom Kippur War, with its heavy Israeli losses and its ambiguous outcome, had a greater impact on the Jewish psyche. Here in America, Jews became more defensive, feeling less secure in the American urban society of the past two decades. At the same time, the ongoing assimilation of Jews into American life also enervated Sherman's shtick. In "Shine On, Harvey Bloom," Sherman wished the Jewish lunar explorer "a lovely seder in your crater"; today Jewish astronauts ride the space shuttle and there is nothing the least bit dissonant about that. □

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DRABNESS INTO POETRY

'GRAPE' & 'ANGIE'

I nearly bypassed *What's Eating Gilbert Grape?* because I had read somewhere a plot summary that made me cringe. Something about a boy trapped in Nowheresville, Iowa, by the demands of his monstrously fat mother and his retarded brother. It sounded like an undergraduate exercise in masochism and "honesty." Even the facts that the director was Lasse Hallstrom (who made my favorite movie about childhood, *My Life as a Dog*) and that Leonardo Di Caprio had been nominated for an Oscar for his work as the backward sibling didn't propel me to the box office, because foreign directors often lose their bearings in America and actors are practically assured nominations whenever they play the handicapped. And then there was that horrible, jokey title....But I went anyhow.

The movie turns out to be pretty splendid. It goes off the rails in its last fifteen minutes when scriptwriter Peter Hedges (adapting his own novel) uses a macabre and opportunistic plot twist to give his story a happy ending. And, in the lead, Johnny Depp, though a diligent actor, lacks the innate magnetism necessary to keep a passive character interesting. But everything else in the movie is compelling. And watching it reminded me of something I never should have forgotten. No movie (other than the crudest melodramas and farces) is about its events. It is about what its creators see in those events.

Yes, in *Gilbert Grape*, we do have that flat landscape and that dreary town and those dead-end jobs and a seemingly nonexistent future for our hero. But you also become aware that desolation and ugliness are just part of the fabric of Gilbert's life, and the movie is really about that entire fabric, with its elements of pity, comedy, lyricism, and nascent sexuality, as well as its boredom and squalor. Gilbert certainly does feel trapped by his "beached whale" of a mother (his description), his boring job in a grocery store, and his obligation to bathe his backward but all-too-energetic brother Arnie every night and to fetch him down from the water tower that he periodically climbs. But, sometimes through Gilbert's eyes and sometimes over his shoulder, we're looking at the flow of life in a particular place at a particular time. And, as life flows, it refuses to be labeled as "boring" or "wasteful" or even "charming." Life flows and sweeps away these categories.

Consider a dinner table scene early in the film. It begins as a mildly nasty family squabble. When Gilbert reprimands his sister for her lack of table manners, she sarcastically calls him "dad." With more than a touch of self-righteousness Gilbert sternly reminds her that "Dad is dead." (A suicide years ago.) The nastiness turns into pitiable embarrassment when Arnie fixates on his brother's statement and turns it into a silly chant. The mother angrily demands silence and stamps her foot to get it. But she weighs 350 pounds and the floor is poorly constructed. A grotesque comedy has evolved: will the table and all the diners disappear into the cellar? Cut to a few hours later: Gilbert and a handyman friend are in that cellar checking on the construction, and the pal, a walking encyclopedia of home improvement, is expatiating on the carpentry he will do with a pedantic fervor that becomes hilarious. A perfectly drab initial incident—a family tiff—has led to a roller-coaster ride of emotion.

The rest of the movie is like that. A potentially dangerous confrontation between a betrayed husband and his wife's lover turns into a business meeting and then the meeting is disrupted by a comic household catastrophe. The journey of the mother into town to retrieve Arnie from a police station threatens to be embarrassing and *is* embarrassing but also a bit harrowing, even heroic. Very few scenes in this film end up the way you thought they would. Life flows, things change.

Is this unpredictability a contradiction, even a refutation of the way Gilbert feels about the trap that is his life? Certainly, but isn't it the duty of the storytelling artist always to see more than his characters see, to feel more than they feel? Yes, Gilbert is going nowhere, but Hallstrom's camera can't stop showing us that the life around Gilbert is going helter-skelter in all directions.

Oh, about that Oscar-nominated performance by DiCaprio. It is infectious, beautifully detailed, and fully deserving of every award in sight. DiCaprio doesn't make Arnie pitiable at all but a human being zestfully engaged, on his peculiar terms, with the world. Watch for DiCaprio's little wince of concentration whenever he has to pick up something. And the girlish ecstatic swing of the elbows whenever Arnie runs. This is a performance that finds poetry where others might see only misery. Come to think of it, the whole movie does that.

If *What's Eating Gilbert Grape?* defies easy categorization because it is so mercurial, *Angie* challenges pigeonholing because its makers apparently didn't know what kind of movie they wanted to make. This film, about a Bensonhurst Italian-American working girl (Geena Davis) trying to discover what her true nature is, doesn't know what its own true nature is. Todd Graff writes the early scenes of Angie's fractious family life and her unplanned pregnancy by an unloved boyfriend with a coarseness trying to pass as naturalism. If we discover Angie in bed with her lover, she must be shown popping pimples on his back. His discovery that she's pregnant occurs when she has morning sickness all over his floor. (The vomit and their awareness of it magically disappear because the scene has to go in another direction. So much for naturalism.) If Angie's butcher father learns of his daughter's engagement and embraces her, then his hands must be soaked in blood which he promptly smears all over her white blouse. But Graff also wants a pinch of absurdism for his dramatic stew, so Angie's gynecologist turns out to be a dwarf. And wait, that's not enough. His nurse is even taller than Geena Davis!

When Angie takes up with a successful lawyer, the script

(Continued on page 20)

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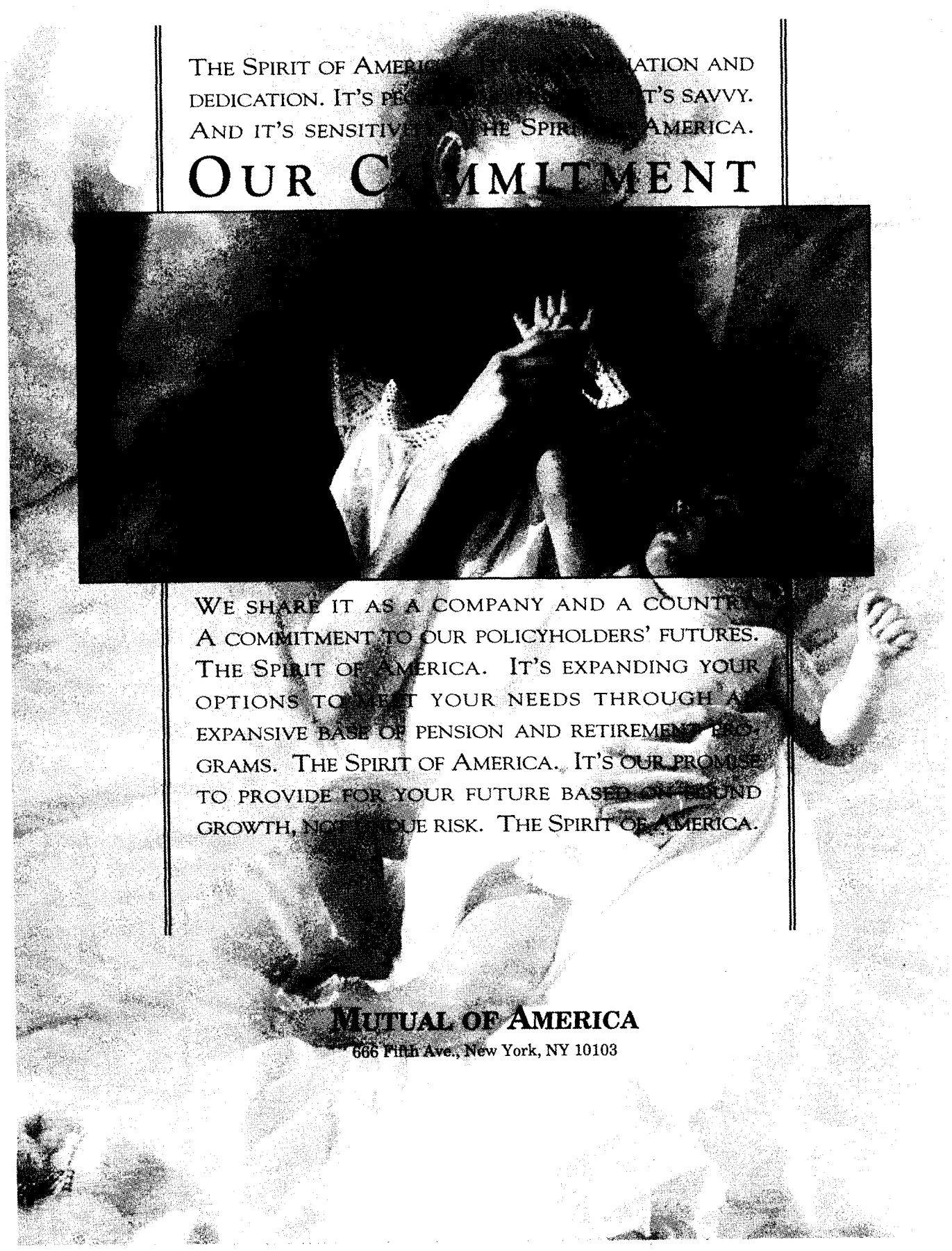

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suddenly tries to emulate screwball comedy, but Graff doesn't know how to write it. His idea of wit is to let the lawyer shout at a Museum of Modern Art guard (ejecting him and Angie for eating in the museum), "Your museum is overrated and the guards at the Whitney can kick your ass." Later, when this lover proves faithless and Angie's baby is born with congenital defects, the movie becomes the sort of women's weepie that Joan Crawford made in the 1940s. Finally, all ends happily. Angie reconciles with her family, reaches detente with her first beau (though doesn't necessarily marry him—that would be politically retro), and snaps her sick baby out of a coma by plucking the feeding tube from his mouth and giving him the corniest adult-to-baby pep talk since Clark Gable rallied his newborn son off the operating table in *Adventure*. At the end, Angie is blissfully breast-feeding and we are treated to a series of close-ups of all the other babies in the pediatric unit smiling blissfully at the camera. Goo Goo. Coo Coo. Now at last the movie knows *exactly* what it is: a Gerbers baby food commercial.

This movie would be beneath comment if it weren't for the acting. Not just better than the script, it's stratospheres above it. It's acting as writing: the skillfully placed pauses and incisive inflections tell us more than the language and storytelling do. As Angie's father and stepmother, Philip Bosco and Jenny O'Hara endow their characters with a dignity that Graff's writing would deny them. James Gondolfini, as the proletarian lover, is achingly affecting. Stephen Rea, as the "suit" who seduces and betrays, gives a subtle, duplex performance. On the one hand, we see how his charm wins Angie, but there's also just enough affectlessness in his seeming tolerance of her pregnancy that we know trouble is in store.

As Angie, Geena Davis has the toughest role simply because she's in every scene and therefore must plaster over with her acting all the fissures in Graff's script. She almost succeeds. Davis is emotionally ambidextrous. Bawdiness, need, sexuality, compassion, ruthlessness—Davis is never at a loss.

Martha Coolidge, the director, has to take some of the credit for the quality of the acting, and she also stages some scenes with skill, though none of her work here has the security of her direction of *Rambling Rose*, her lovely tragicomedy of a few years back. There's something faintly disgraceful about Coolidge being associated with this project. Early in her career, she made a lacerating documentary-exposé of the pornography industry called *Not a Pretty Picture*. But what she condemned in that film was pornography for the gonads. In its final, weepy stages, *Angie* turns out to be pornography for the tear ducts.

RICHARD ALLEVA

POEMS
Christopher Cowles

Farewell beyond Mortality

When I set out to rest
On death's sweet wing
I saw all things as beautiful
As they must ever be

From childhood's gladness til my waiting grave
The lily virgin sings
Up from the black soil where she soon must fade;

And from her unmourned liquid members
Languid in the dust
New dark and fragrant with retiring day,
She must return in mist
To catch my yearning kiss
Tossed through the wind across the darkening glade.

To a Nun Seen on Her Way to Prayers

The kindness memory left beautiful
Returns without a movement
In desire through which love's moment past
Might strive to make time to be close
And closed;

And so not open like the silent rose
Patiently balanced on the April wind
Vivid as blood, in beads of silver dew
And rich and red without our rage of wills...

So, when I raise my eyes to glance at you
I greet that moment where no anxious will
Has burrowed in to eat and spoil and kill
To gorge the murderous hungers of the world;

Now, sharing common hope, you draw from view
Beyond the sweet song of the past
Given to you and me...

For you are one for God forgotten
Called, and recalled to be
Silent and still alone in Him
Through innocent memory.

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A philosopher on the limits of philosophy

MORALITY AND POLITICS IN MODERN EUROPE
Michael Oakeshott
Yale University Press, $22.50, 192 pp.

RELIGION, POLITICS, AND THE MORAL LIFE
Michael Oakeshott
Yale University Press, $22.50, 160 pp.

David McCabe

Some writers we read because we want to know what to think. Unsure of ourselves, faced with confusing issues, we try on other people's arguments until we find one that fits, and then we say we have formed an opinion. Other writers, however, we read not in order to know what to think, but to learn how to think, and from reading them we gain what we call wisdom. These authors are always more difficult. They offer up their lessons much more slowly, and only to those who marry patience with discipline. Michael Oakeshott, the English philosopher who died in 1990, was such an author, and for this reason I hope that the publication of these two books helps find for him the wide readership he deserves.

Each of these books reflects Oakeshott's lifelong distrust of that way of thinking which trades in the easy certainty of abstract generalizations and to which he gave the name rationalism. The chief failings of rationalism, thought Oakeshott, are its unwarranted confidence in the power of abstract mental reflection to shape our world and our relations with others, and its corresponding neglect of the fact that our world is understood by us, and has distinctive value to us, only because we exist within traditions (things like religious faith and cultural habits, mores and manners) whose teachings cannot be captured in the kind of formulas that rationalism insists upon as the mark of true knowledge. For Oakeshott, then, rationalism is both misguided, because it regards as knowledge only that which can be written down in a book, and dangerous, because it leads to attempts to reconstruct social relations according solely to abstract principles and thus puts at risk those traditions which give sense to our lives and which cannot be explicitly formulated.

Morality and Politics in Modern Europe, which comprises eight lectures given at Harvard in 1958, presents Oakeshott attempting to think about politics without falling into the rationalist trap. His central point is that in order to understand the movement of modern political thought, we need to see that it did not simply spring *de novo* from the heads of philosophers, but that it constituted a response to the historical facts of the breakdown of tightly structured communities and the increased personal liberty experienced by many subjects at the birth of the modern age. This increased freedom, argues Oakeshott, occasioned two distinct moralities, and two corresponding political theories: the morality of individuality, with its politics of individualism; and the morality of the anti-individual, with its politics of collectivism. Individualism, represented by figures like Locke, Kant, and Bentham, embodies the hopes of those eager to explore new opportunities for autonomous self-realization. Collectivism, advocated by thinkers like Calvin and Marx, speaks to the fears of those unwilling or unable to define their own identities in a world where the authority of communal ties is rapidly disintegrating.

"Now for the last time, why?"

Oakeshott believes that contemporary political thought still presents us with these two options, and in general he is probably right. I have less confidence, though, in his decision to group as collectivists those new liberals concerned with a more egalitarian distribution of wealth, and here I think his own classificatory scheme shows clear signs of strain. Having described collectivism as the belief that the state should "impose a comprehensive pattern of activity" upon all citizens, it is rather odd that he should then describe these liberals as collectivists, for it seems quite clear that a state committed to securing a basic degree of human welfare is not *imposing any activity* at all, but is rather trying to ensure the preconditions necessary for any activities individuals might undertake. The welfare state is best defended on the grounds that it tries to extend the politics of individualism in the fairest way possible, and Oakeshott entirely overlooks this line of argument.

Overall, however, these lectures offer an excellent entrée for those unfamiliar with Oakeshott's political philosophy. Though a wonderful writer (whose sentences, like Greek architecture, are at once beautiful and austere), Oakeshott is not an easy one, and these lectures are more accessible than much of his writing. For those willing to plunge into the full majesty of Oakeshott's literary style, however, the ten essays (some never be-

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fore published) in *Religion, Politics, and the Moral Life* offer a good place to start. Many familiar Oakeshott themes receive concise treatment here: the impotence of rationalism, the indivisibility between individual and society, and the notion that philosophy can play no role in helping us evaluate ends and is therefore of limited application in practical life. As the last of these has been a frequent target of those critical of Oakeshott, let me briefly offer a partial defense of Oakeshott's position here, a defense built around his treatment of religion.

Along with philosophy, religion may be said to offer a way of understanding and giving order to human experience. But while philosophy concerns itself with the truth of ideas, religion considers ideas with an eye to their usefulness in giving to life a sense of richness and meaning. The importance of religion in this regard Oakeshott describes in several poignant passages, and these are perhaps the most unexpected treasures in this book. When he suggests, for example, that the religious person "has the courage to know what belongs to his life, and, with it, steps outside the tedious round of imitation by which the world covers up its ignorance of what it is alive for," we feel that he is struggling bravely to answer the question, how should we live? And while his precise recommendations are, as they should be in this context, sketchy and nonspecific, it is clear that the answer is to be found not in any philosophical system but in some kind of religious attitude toward the world.

Oakeshott, then, has not severed philosophy from its role in practical life; instead, he has tried to show that philosophy is not by itself a fully adequate response to human experience. This is an idea by which some of us (not just philosophers) might be made uneasy, for it implies that our lives are not ultimately to be explained in terms of reason alone. But this conclusion should come as no surprise, for if Oakeshott has made anything clear, it is that our lives have greater depths than can be mined by philosophical inquiry alone. In this, he shares the wisdom of that Danish Prince who reminded his friend that there is more in heaven and earth than is dreamt of in our philosophy. □

PLAY ON!

EXTRA INNINGS
A Memoir
Doris Grumbach
W.W. Norton & Company, $22, 298 pp.

Madeline Marget

In her previous memoir (*Coming into the End Zone*, reviewed in *Commonweal* December 6, 1991), Doris Grumbach told about her life as she saw it during her seventy-first year. *Extra Innings* is a continuation and expansion of her story.

In *Coming into the End Zone* Grumbach overcame her anger and grief at coming closer to mortality, which the deaths of friends—especially young ones, of AIDS—and her own advanced age forced her to confront. This theme seems to have been the most striking one to reviewers and other readers and *Extra Innings* begins with the publication of the first book and reactions to it. Most people who talked or wrote about Grumbach's first memoir commented on her depression over growing old and facing—dreading—death. Grumbach leads such a pleasant life—such a full and fulfilled one—that of course she's sad at the thought of its ending. Her writing, however, conveys more *joie de vivre* than melancholy. She is blessed, and no matter how much grumbling she does, she knows it, a fact that's especially evident here.

Extra Innings, like *Coming into the End Zone*, takes the form of a journal—short sections that tell of daily thoughts and events. Woven in, however, sometimes in anecdotes and sometimes by allusion, is her life story. Born into an extremely wealthy New York family (her grandmother, when already rich, called her broker and told him to buy stock—at 25 cents a share—in a new company she'd read about in the newspaper, spelling the name she didn't know how to pronounce: X-E-R-O-X), Grumbach failed the New York Regents exams because she'd played hooky from school and had not read the required books. She nevertheless continued her education through a Ph.D., married, raised four daughters, and then left her husband to start a new life with another woman. She has had a long career as a teacher, writer, and critic. Born a Jew, she became a Catholic but left the church because of its treatment of women, and is now an Episcopalian, still deeply concerned with faith and prayer. Grumbach has traveled widely and often, and although she has lived in cities she is now most content living near a quiet cove in Maine. Her book is more like a novel than conventional nonfiction because Grumbach explains almost nothing—she presents the life she's chosen to reveal.

Her method is highly effective. Grumbach is a genius at conveying intimacy without prurience. The great charm of her memoirs is the friendship they offer; she describes and alludes to her own friends, and becomes the reader's friend, or at least a friend the reader would like to have. The Doris Grumbach character who's the author on the page is a sensible exotic, a wise chum. She's lucky and opinionated, feels grumpy but acts polite, and has made a consistent life out of apparent contradictions—reason enough for her to write her memoirs.

Hope and promise prevail. V.S. Pritchett, in his eighties, rose in the morning and rushed upstairs to his study, eager to get his thoughts down, his stories told, his essays clear. That anecdote about Pritchett cheers me, as Grumbach's book does. *Extra Innings* is full of detail that seems familiar but fresh. The author's voice is cultivated, plain-spoken, and thoroughly thought-out. She tells of twisted ankles, trips to the dentist, the heart-stopping dread at her child's illness, her love for her family and friends and for Sybil, her companion. Most of all, she keeps changing her life, improving and enriching it so as to find the place—physical, emotional, intellectual—where she'll find contentment. She's been contented before

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(many times, it seems), but when she's become restless or afraid has moved on. Though she thinks she's settled at last, I'm not so sure. Grumbach always has another idea, and while sometimes the stiff-backed lady (for example, she hates having casual acquaintances calling her by her first name), she's also open—especially to a move, to new thoughts and actions.

That's her charm. She looks back at her fifties as youth: a time she started a new life. In her seventies, despite her worries, her references to despair, and her occasional jab at resignation, she still appears to be creating, reshaping, going forward into the future.

Grumbach's memoirs have the bounce that age, experience, and continued energy confer. Part of the companionship they offer is a shot of inspiration. □

NEUTRALITY ISN'T NEUTRAL

THE PARTIAL CONSTITUTION
Cass R. Sunstein
Harvard University Press, $35, 414 pp.

Edward McGlynn Gaffney, Jr.

It is ironic that there is greater stir among the Russian people about their new constitution than among Americans about our own. For if the truth be told, we focus as a nation on the meaning of our Constitution only fleetingly. It occupies the popular imagination when the president nominates a new justice to serve on the Supreme Court, whether the appointee is a Robert H. Bork or a Ruth Bader Ginsburg. But who pays attention to constitutional matters at all during the long off-season between Senate confirmation hearings? Too few, according to Cass Sunstein, for whom the business of constitutional interpretation is far too important to our republic to be entrusted to judges and professors of constitutional law. In this volume he probes deeply the importance of constitutional interpretation for the quality of political discourse in our democracy. And he challenges all serious citizens to reflect about the critical connection between the limits that our Constitution places on governmental power and the quality of our own participation in our democracy.

Sunstein has produced an essay that is provocative in the best sense of that term; it provokes fresh insight, new ways of thinking about matters that have become dull in the hands of lesser lights. He constructs a compelling general theory of constitutional interpretation, according to which "naked preferences" of vested interests must give way to public values in our "republic of reasons." "At the heart of the liberal tradition and its opposition to authoritarianism," he writes, "lies a requirement of justification by reference to public-regarding explanations that are intelligible to all citizens." He follows his own canon of intelligibility, writing deftly for those familiar with the methods of constitutional interpretation but rendering these methods accessible to readers who may be complete neophytes.

At the core of Sunstein's theory is a rejection of what he calls "status quo neutrality," that is, the mistaken belief that all current arrangements and practices are "neutral" and may not be set aside without disrupting the basic trust that the Constitution is typically thought to repose in elected representatives of the people. Sunstein is skillful in his unmasking of such formal neutrality.

A classic instance of reasoning based on "status quo neutrality" is the wooden construction of the First Amendment in the 1976 *Buckley* v. *Valeo* case, which undid the modest post-Watergate political reform limiting campaign expenditures because "the existing distribution of wealth [was] seen as a given, and failure to act—defined as reliance on markets—[was] treated as no decision at all." Sunstein's critique of this line of thinking is all the more refreshing for its emanating from the University of

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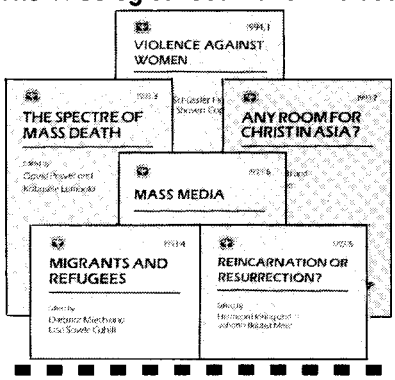

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Chicago, where he teaches jurisprudence: "Neutrality *is* inaction, reflected in a refusal to intervene in markets or to alter the existing distribution of wealth. This is so despite the fact that markets are conspicuously a regulatory system, and reliance on markets for elections is a regulatory choice." Sunstein has proposed a "New Deal for Speech" that allows us to imagine a day when *Buckley* will be overruled and when the First Amendment would actually reinvigorate the processes of deliberative democracy, for example, by requiring candidates for public office to address issues of pressing public importance.

To replace status quo neutrality, Sunstein calls for constitutional interpretation that takes into account the crucial distinction between "a system in which representatives try to offer some reasons for their decisions, and a system in which political power is the only thing at work." This in turn invokes his way of thinking about the role of the judiciary in a democratic republic.

Sunstein would have the courts require from the government real reasons for policy choices, not feigned ones invented by government attorneys—or worse still, by the judges themselves—to mask commitments to the status quo. But once a judge is satisfied that public values do in fact account for legislation, he would not have the judiciary impose its own preferences, for the excellent reason that this would undermine the very faith in representative democracy that Sunstein is at pains to sustain. He would, moreover, not grant to judges a roving warrant to do good, but would require of them publicly accessible justifications of their constitutional interpretations.

At this point in the argument Sunstein begins to sound like those committed to judicial restraint, such as self-styled "originalists" like Chief Justice William H. Rehnquist, Justice Antonin Scalia, and Judge Bork. He certainly agrees with their view that constitutional interpretation must be based on "an overriding commitment of fidelity to [the] text, structure, and history" of the Constitution itself. But Sunstein parts company with Rehnquist and Scalia by insisting that external justifications or substantive political arguments inevitably enter into constitutional interpretation. He winds up with a far more substantial view of constitutional interpretation than that espoused by "realists" like Oliver Wendell Holmes, Jr., and Jerome Frank, for whom the interpretation of the Constitution is mostly judicial hunch or whim.

Having achieved a better account of constitutional theory than many other scholars in this field, Sunstein is not content to leave his contribution at that level of generality. In the second half of the book he offers several rich illustrations of the consequences of adopting his theory. The applications include free speech (with special focus on political deliberation), pornography, abortion, surrogacy, the use of public funds for speech, education, and reproduction, as well as the limits of what he calls "compensatory justice."

Among such a wide array of controversial subthemes, readers are bound to find some arguments more persuasive than others. I found Sunstein's argument about campaign reform compelling. I am less satisfied with his argument on abortion, even though it is far more interesting than most liberal explorations of this theme. The 1973 *Roe* decision rested its conclusion protecting abortion on a view of individual autonomy and privacy. Sunstein offers a different argument, grounded in concerns about equality. By focusing on the "sexual and reproductive status quo" as a "locus of inequality," Sunstein finds a common thread among current policies relating to pornography, abortion, and surrogacy. He urges "the need to ensure that *women's sexuality and reproductive functions are not turned into something for the use and control of others*....[A] legislature may prevent society from turning morally irrelevant characteristics—most conspicuously race and sex—into systemic sources of social disadvantage." One difficulty with this argument is that he offers no empirical evidence as to whether easy abortion produces less or more control of women by men. Another is that the argument from equality seems at odds with his own predicates about who should count within our republic, for it fails to weight significantly the equality interests of the child within the maternal womb—whether male or female; whether white, black, or any other color—that cannot be ignored in the abortion controversy.

Sunstein advocates an active role in constitutional choices by our elected representatives. As valuable as this insight is for reinvigorating democracy, it does not offer a principled basis for determining the right outcome of crucial matters of public controversy. For example, are New York legislators right when—in response to the overwhelming popular will—most of them try for years to include the death penalty among the legal sanctions of that state? Or is Governor Mario Cuomo right when he vetoes these efforts consistently over the years? Sunstein does not address the death penalty in this volume, and it is difficult to know whether the principles he sets forth here can ground a "public-regarding" argument either for the New York legislature or for Governor Cuomo on this matter, which cries out for more than the self-interested slogans that now pass for public policy.

With his carefully delineated account of our national story from the period of the founding through the development of the modern welfare state, Sunstein has rescued our history from those who claim that their conservative enterprise is the only way to be faithful to our heritage. With his sharp rejection of status quo neutrality, he has offered liberalism a way out of its curious distrust of elective politics. In so doing, he enables us to reject both the romantic nostalgia for a past that never was and the mindless activism that is content to let judges impose their will upon us virtually without reference either to the popular will or to the anchors of past precedents. In one stroke he has challenged us both to think more carefully about the origins of our nation and to care more thoughtfully about the direction of our future. □

REVIEWERS

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The Bible & its companions

Lawrence S. Cunningham

I received the galleys of the *Oxford Companion to the Bible* a month or so before a new semester was to begin. Rather than browse through it *ad libitum*, which is my usual style, I decided to look up pertinent entries as I reworked my class notes for an introductory Bible course I teach. Large entries were my first target: Genesis/Exodus/ Wisdom Literature/etc. These drew me to ones near them and to the cross references. I found the material well written, cautiously fair in its judgment, and comprehensive in scope.

Unlike the estimable Harper and Row *Dictionary of the Bible* (1985), the Oxford volume deals not only with key ideas, names, and phrases but with a whole series of cognate subjects. I enjoyed, for instance, the essay on "popular culture and the Bible," "computers and the Bible," the "family Bible," "curious Bibles," "children's Bibles"—to name just a few. Each entry points to related subjects, provides signs for words within an entry that are discussed elsewhere and an index of terms which do not have their own entries but which are discussed in the text.

The Oxford Companion to the Bible, *edited by Bruce M. Metzger & Michael Coogan, Oxford University Press, $45, 874 pp.*

The longer articles are capacious. The history of interpretation has four subheadings on Jewish, early Christian, medieval/Renaissance, and contemporary interpretation. The entry on Jerusalem has both a historical essay and one—excellently done—on the symbolism of the city. Reginald Fuller did the well-balanced article on "Jesus Christ."

The *OCB* is not, obviously, as exhaustive as the six-volume *Anchor Dictionary of the Bible* (reviewed in this column, November 20, 1992) but it is thorough and reliable. It should be on the reference shelf of every decent library and, given its modest price, serious readers of the Bible will be well tempted to acquire a copy.

The New Jerome Biblical Commentary (second edition, 1990) is one of the premier American biblical achievements. Its major editors (Raymond Brown, Joseph Fitzmyer, and Roland Murphy) have been leaders in the renewal of biblical studies in this country. Liturgical Press has now provided us with a much briefer work culled from the *NJBC*. The stated aim of this handbook is to put into the hands of religious educators and other interested persons a resource which provides brief introductions to each book of the Bible, illustrations and photographs of biblical material, maps, and condensed summaries of the major topical subjects (biblical inspiration, hermeneutics, etc.) which are extensively treated in the *NJBC*.

Who would be the target audience for this book? It certainly provides basic information about each book of the Bible but does not (could not) treat the text exegetically. The information that it provides is in the nature of background. In that sense it does not go much beyond what is available in the reading guide which prefaces *The Catholic Study Bible* from Oxford University Press (the edition I use with my first-year students), but it does have the advantage of providing ancillary materials (the maps are quite good) and the specialized topics about biblical subjects. *The Handbook*, then, would most likely find its target audience in high school classes, CCD courses, and study groups. It certainly would find its place on the reference shelf of high school libraries.

The New Jerome Bible Handbook, *Liturgical Press, $24.95, 456 pp.*

Philip Kennedy, a young Dominican theologian from Australia, has written an extremely fine introduction to the work of the Flemish theologian, Edward Schillebeeckx. This is no mean achievement since Schillebeeckx has been an extremely prolific writer and not a particularly systematic one. There is the further complication that much of his writing is in Dutch

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(and mounds of it not published at all). In addition, Schillebeeckx has had his unhappy moments with the Roman authorities who are neither amused by his identification with left-wing currents of the Dutch church nor by his writings, especially on Christology and, more recently,

Schillebeeckx, *by Philip Kennedy, O.P., Chapman/Liturgical Press, $12.95, 144 pp.*

the theology of ministry. Kennedy insists, however, that much of Schillebeeckx's theology comes from his lifelong engagement with Saint Thomas (as befits a Dominican) mediated by his long study of continental philosophy. In an extremely interesting biographical chapter, Kennedy traces these intertwined interests as Schillebeeckx imbibed deeply from the philosophical tradition of Louvain and the theological culture of his years with the Dominicans in France where he was deeply influenced by the historically minded scholars (especially the late Père Chenu) at Le Saulchoir.

Ultimately, time will judge how well Schillebeeckx's theological vision stands up. In the interim, we can say that he has provided our theological discussion with some profound themes and approaches. Kennedy writes compellingly of the centrality of creation as a theological motif in Schillebeeckx; of Schillebeeckx's vision of Jesus Christ as the compression of who God is; of his subtle use of the *via negativa* to emphasize the humanity of Jesus as a counterbalance to the Chalcedonian emphasis on divinity; and of his long-time meditation on the notion of encounter as it relates to human relationships with the divine and, in the order of salvation, in the sacraments.

This inexpensive volume makes a nice companion piece to *The Schillebeeckx Reader* (Crossroad) edited by Robert Schreiter in 1984 and the volume on Schillebeeckx's theology edited by Schreiter and Mary Catherine Hilkert under the title *The Praxis of Christian Experience* (Harper, 1989). With those books and this one by Kennedy as background, interested persons might be ready to read some of Schillebeeckx's more demanding and lengthy works. They repay the effort.

The word "seasons" in the subtitle of Gross's book comes, evidently, from Daniel Levinson's developmental description of the seasons of a person's life analogous to Shakespeare's "seven ages" or Erik Erikson's stages. What Gross has done is to retell the story of Teresa of Avila in the context of developmental psychology with some side glances at Jungian and Freudian psychology. He further juxtaposes that life to the life journey of Dorothy Day (with reliance on Robert Coles) and Gandhi (Erikson) with dollops of everyone he has read from Winston Churchill to Doctor Seuss and Maurice

The Making of a Mystic: Seasons in the Life of Teresa of Avila, *by Francis L. Gross, Jr. (with Toni Perior Gross), State University of New York Press, $16.95, 285 pp.*

Sendak. On top of all that, we get autobiographical asides and some of the author's (not very impressive) poetry.

The introduction tells us that the style of the book is "casual and breezy" because he did not want to "dull up a manuscript about a lively lady in the interest of scholarship." Furthermore, the author intends the chapters to be read as "case studies," "each from a different psychological perspective." Now there is nothing inherently wrong with this approach; indeed, even wrongheaded books of this kind (e.g., Erikson's *Young Man Luther*) have provided valuable insights as have fine, less adventuresome studies like Robert Coles's work on figures such as Simone Weil and William Carlos Williams.

My problem with Gross's book is that it seemed too much like a piling up of psychological theory, strained analogies, and odd literary juxtapositions without any clear direction or focus; the case studies don't seem coherent. When he writes straightforward biography, he has a lively style, but his odd ruminations act like jelly over a lens: the picture gets hazy and purple. Furthermore, his "casual and breezy" style leads him to odd errors (I doubt his story about the Mexican who left the church but didn't "lose his mind" and become a Protestant; that old wheezer is right out of Joyce's *Portrait of the Artist*; nor do all "theologians mistrust mystics," etc.—that sort of thing). Finally, it strikes me as odd that in a book this size there is only a fleeting glance at John of the Cross who was one of Teresa's most important friends and collaborators.

I opened this book with some anticipation (having regularly taught Teresa's writings in class) but found it rather wanting as a serious or reliable guide to one of the doctors of the church. Alas, I cannot recommend it for serious inquirers into the mind and heart of the great mystic of Avila.

By contrast, Ingrid Peterson's study of Clare of Assisi is highly recommended. The conventional view of Clare runs something like this: Francis calls her from her aristocratic home to leave wealth and comfort to begin a new life of poverty and prayer. What Peterson argues is that this story is always told from the perspective of Francis. She notes that well before Francis begins his converted life, Clare had already attained a reputation for holiness. Indeed, one can detect in the sources a pattern to Clare's life that was burgeoning generally in the twelfth century: that of holy women who, without entering traditional religious or-

Clare of Assisi: A Biographical Study, *by Ingrid J. Peterson, O.S.F., Franciscan Press, $20.95, 436 pp.*

ders, had carved out a new kind of living as an alternative to either the cloister or the marriage bed. Clare was not a Beguine but her form of life was not unlike that of her sisters to the north. That she and Francis ended up as spiritual friends is, in itself, an edifying story since, as Peterson makes clear, Clare came from an aristocratic Ghibelline family whose antipathy to the merchant class from which Francis came was unyielding and often bloody.

What makes Peterson's study so attractive is her determination to tell Clare's

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story from Clare's perspective. She reminds us that Clare's mother had been a pilgrim (when pilgrimage meant far more than merely going on a journey to a shrine), and it was probably the mother who had the most influence on Clare's own conversion and her spiritual life. She also notes that later, Clare struggled for some independence in the way she wrote her rule of life (she was the first woman in the history of the church to do so) and ever so subtly corrected the one imposed on her by Rome. To this day, the Poor Clares follow either the emphasis of the papal rule or the one developed by Clare herself.

The written sources by Clare (a few letters and a testament) as well as reliable ones about her (e.g., the documentation or *processus* for her canonization) are thin, but by putting the vast corpus of medieval scholarship to use in fleshing out the texts we do have, Peterson gives us a panoramic look at Clare in particular and at women's spirituality in her age.

This is not a work of technical scholarship but it is one that uses such scholarship to good purpose. The book has a good bibliography, a thorough index, and some useful appendices. It is an excellent example of a work that uses the best of contemporary scholarship (especially in the area of women's studies) to refocus our attention on one of the great figures of medieval Christianity.

One final note: Peterson's work is published by the Franciscan Press (with its home at Quincy University)—a publishing effort which seeks to revitalize the old Franciscan Herald Press (Chicago) on a more professional basis. The quality of this volume augurs well for the press's future. Books of this quality should find an audience for those who desire to explore in depth the Franciscan charism in the church.

Both Teresa and Clare belonged to religious orders. Monasticism and religious institutes growing out of them have always been a part of the Catholic tradition. The literature on monasticism is voluminous but short, readable histories of the phenomenon are rare. Most beginners rely on David Knowles's *Christian Monasticism* (1969). Knowles focused on monasticism in the strict sense of the term so it is an advantage that we now have Frank's work (ably translated from the German by his former student, Joseph Lienhard, S.J.) which treats other religious institutes like the mendicants, clerks regular, canons, religious institutes of women, etc.

Frank's history was written in the early 1970s but the translator has updated the bibliographies and, in addition, added a chapter, in the form of a postscript, bringing the story down to the early 1990s. The approach is historically oriented with the precise aim to describe the "forms which religious life took in the course of history." The book has a useful bibliography but, irritatingly, no index.

With Greater Liberty: A Short History of Christian Monasticism and Religious Orders, *by Karl Suso Frank, O.F.M., Cistercian Publications, $28. 95, 269 pp.*

With Greater Liberty concerns itself mostly with developments in the West although it does have a chapter on Eastern monasticism which picks up on the earlier historical material presented in the beginning of the book. Frank could not touch on every form of the vowed life, but he does present a rather comprehensive overview. The only conspicuous omission that I noted was a lack of any discussion of those medieval lay movements (e.g., the Beguines) which adopted some monastic practices; this is unfortunate since they are now the focus of much interest among historians of spirituality.

With Greater Liberty should prove a boon for classroom use, especially for those working in church history or in the area of spirituality. I would also see it as a handy volume in classes in spiritual formation for religious institutes. Cistercian Publications offers an inexpensive ($13.95) paperback edition which should make the work even more attractive for class use. □

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James J. Walter, Ph.D., is professor of Christian Ethics and Director of Graduate Programs in the Theology Department at Loyola University in Chicago. He has had extensive experience as a medical ethics consultant to several hospitals, to the Holy Cross Health-care System and to Loyola University Medical Center. **July 13,** Wednesday, - afternoon reception; **July 14-15, 1994**, Thursday and Friday, 8:30 am-4;30 pm.

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CORRESPONDENCE

(Continued from page 2)

object of violent malice in speech or in actions. Such treatment deserves condemnation from the church's pastors wherever it occurs."

The Catholic bishops of the state of Washington have acknowledged that "[T]he manner in which Catholic teaching has been concretely conveyed has contributed to the prejudice against gays and lesbians. The tendency of some Catholic teachers to speak about homosexual orientation and activity as if these were *the* supreme evils or as if they constituted a dangerous attack on marital values illustrates the point. Further, there have been persons in the church who have contributed to the general prejudice against homosexuals by the derogatory language and tone they use in referring to gays and lesbians. Finally, many Catholics have heard the church's teaching against the background furnished by a society...permeated with prejudice against homosexuals. As a result they have given to the church's teaching a nuance which is prejudicial to homosexual persons."

If the church, its leaders, and its doctrine are consistently and unjustly characterized by some as "homophobic," perhaps we need to do more than defend our right to speak out; perhaps we need to examine more closely what we are saying, the way we are saying it, and its effects on both social reality and individual lives. ROBERT NUGENT

'NYPD Blue': Yes!

Portland, Ore.

To the Editors: In reponse to the letters criticizing "NYPD Blue": I am a devotee of public television and make only rare excursions to the commercial channels. Last fall, however, I began watching "NYPD Blue" on Frank McConnell's recommendation, and am completely captivated. The program shows real people dealing with real problems as they rise in the justice system. The characters are highly complex, and they ring true to me. The issues too are complicated, just as in life. The camera work is unparalleled on television. And in no other series, on either public or commercial television, have I seen the role of religion in providing moral underpinnings defined as well as in "NYPD Blue." The confessional scenes almost make me nostalgic for that street-smart yet spiritually sensitive priest sitting on the other side of the confessional screen! Living on the other side of the country, I look forward each week to the growths and setbacks of those extremely human cops and their charges in the Big City. GERALDINE ETHEN

Gilgamesh it's not

Prince Edward Island, Canada

To the Editors: I am sure we must all be grateful to Frank McConnell for pointing out ["The McConnell Quakes," February 11] the redeeming social value of TV in relation to his family's experience of the Los Angeles earthquakes. I would be the last to discount the comfort which he and presumably many others derived from learning via TV that their relatives had survived unscathed (presumably still others got a strong premonition that theirs had not), and I'm sure that Mr. McConnell would not welcome more disasters to underline the peculiar value of the tube at such moments. Still, his valuable insight does seem to lead him into some pretty murky territory—all that business about being jarred into the third person, and then, through the beneficent workings of televised sounds and pictures from L.A., to be put back into the center of one's life in the first person. TV coverage of the quake is like Gilgamesh or Doonesbury or Mary Worth? Aw, c'mon.

And then there are our cave-dwelling ancestors socializing by taking something in hand and drawing pictures on the walls, some presumably watching and making suggestions between bites of tapir meat. In that context, what is the analogue of the tube on January 17? And how much did McConnell get to talk with Kent Shockneck, the talented anchorman? Communication is all very well, but surely two-way is better than one-way?

In some very limited circumstances, perhaps TV can turn the unspeakable into the bearable; also, as Hannah Arendt might have said, into the banal. But rarely into the intelligible, the really "quintessentially human act." I'm afraid it will take something more substantial than the lucubrations to which your critic's quake experience gave rise to inspire in anyone this side of Camille Paglia more admiration for the medium which regularly deals in what Mr. McConnell calls "the endless sniggering over Michael Jackson or Tonya Harding or the Bobbitts." Incidentally, as to the column's reference to "self-appointed media pundits like Neil Postman," I don't know where Mr. McConnell would count himself as a pundit, but surely Postman is neither more nor less self-appointed than McConnell: they both have something to say about media, and both find sponsors interested enough in what they say to afford them space in print.

JOHN KENDALL

Silence can betray

Fukushima Shi, Japan

To the Editors: The article "Giving Up the Gift" [February 25] was one of the most tragic stories I have ever read. One aspect filled me with intense sadness and anger. The reason "Madelein Gray" was forced into her dilemma, she wrote, was a failure in using the "natural" method of birth control. How long will the church continue to propagate this "natural" method as the only licit means of limiting births?

I was an active priest for sixteen years; in those years I found that the majority of other priests did not agree with the teaching of *Humanae vitae*. Yet—and this is the reason for my anger—few of these priests had the courage to tell the people in public what they believed. A bishop—not the bishop of the diocese where I worked in Japan—told me that the teaching is impossible for anyone. When I asked him why he didn't say this publicly, he just smiled sadly. Another bishop told his priests that they were not to preach on the encyclical's prohibition of artificial birth control. But he too never expressed his belief in public.

Secondly, many moral theologians have disagreed with *Humanae vitae* and their view certainly constitutes a "probable opinion," in the language of the trade. According to Catholic theology, we may follow a probable opinion unless doing so would seriously harm another person.

Thirdly, the church's teaching that every

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act of sexual intercourse must be open to conception is everywhere contradicted. The church does not forbid intercourse after menopause, during pregnancy, or during the "safe" period; yet it is patently untrue to say that intercourse under these circumstances is "open to conception."

However tiresome the subject has become, it is important that all people, including priests, theologians, and bishops, speak the truth as they see it, and that journals like *Commonweal* continue to be forums for debate on this issue. Apart from the overriding claims of truth, it is only in this way that we can save people like "Madelein Gray" from the pain they have suffered.

I must add that despite my criticism of priests and bishops for their lack of courage, I have seldom seen them lacking in kindness and understanding. I believe that the article's author will find many priests who will hear her story with compassion and welcome her with God's forgiving love. JOHN FRAZIER

Not a guilt trip

Chicago, Ill.

To the Editors: I read Madelein Gray's article with much sympathy; a woman afflicted with Crohn's disease who finds she is pregnant faces a *most* difficult situation. Human as we all are, I can understand her coming to the decision she made. I think I understand also why many who make the same decision are disturbed for years; I personally do not believe it is a guilt trip inflicted by the Catholic church, but has its source in the bond between a mother and her child.

Despite my sympathy, I was disturbed by the passage in the article in which a counselor is quoted as not knowing any priest in the community who would listen with compassion, and by the paragraph asserting that the church is not open to counseling and reconciliation. This does not square with my experience. More than once I have attended the Project Rachel seminars provided to help priests of the Chicago archdiocese deal sensitively and skillfully with the trauma of abortion. I am a seventy-three-year-old retired priest living in a rectory with our sixty-eight-year-old pastor and our forty-one-year-old associate; all of us could and would help a Madelein Gray to be healed, and so would many other priests of my acquaintance. (REV.) THOMAS F. MAHER

Lewis's Joy

Collegeville, Minn.

To the Editors: Bel Kaufman's personal memoir of Joy Gresham [March 25] is a most welcome treat. But two corrections are needed:

First, C.S. Lewis was Clive Staples (not Stapleton). Second, according to A.N. Wilson's 1990 biography of Lewis, Joy Gresham first met Lewis in 1952. *Surprised by Joy* was published in 1955, so the book was not "written before he had met Joy," and hence was not quite so "prophetically titled" as Ms. Kaufman suggests, though the civil (1956) and sacramental (1957) marriages took place after the appearance of the book. PATRICK G. HENRY

Blackmun on trial

Houston, Tex.

To the Editors: It is supremely ironic that a Supreme Court Justice who for years has helped condemn millions of innocent human beings to death by lethal injection in abortion—basing himself on a right in the Constitution which nowhere and never mentions it textually or historically—now cannot find it in his heart to impose death by lethal injection in a Constitution which contains that permission textually, historically, and culturally. Justice Blackmun is the perfect example of a judge who makes law by imposing his own philosophy upon us all. The difference is not that he opposes the death penalty, but that he is a selective killer; he opposes the death penalty for the criminal who murdered his victim without mercy, without conscience, and without compassion; he doesn't give a second thought to permitting the death of innocent human beings who have done nothing except to be in the wrong place at the wrong time.

O tempora! O mores! PETER J. RIGA

A three-pointer

Brooklyn, N.Y.

To the Editors: This is only my second fan letter. My first went to Sam Jones twenty-four years ago when he retired from the Celtics. I didn't think I'd ever write another. But I laughed and laughed again when I read "Numero Uno" [editorial, January 14], your comment on *Victoriae splendor*. As nicely done as Sam Jones's bank shot. Well, almost.

JAMES R. KELLY

From the editors: You should see our jump shot.

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This park is central

MARY CAMPBELL GALLAGHER

Following the path of a woozy mastodon of old, I cross Central Park from upper east to upper west each morning, and from upper west to upper east each afternoon.

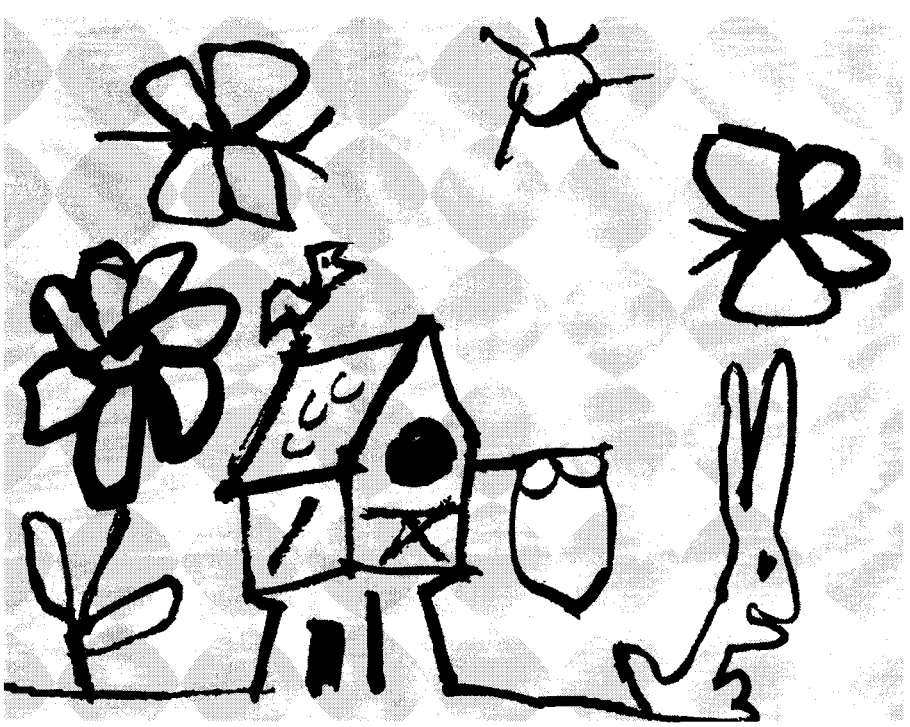
The park is its own country, bigger than Monaco, the undulating green valley amidst the mountains of Manhattan. Crossing in the morning, past the Trefoil Arch, along the Terrace, past Bethesda Fountain, along the drive, I pass every day a serious Frenchman hustling intently from west to east. He has a young boy on each hand, one fluttering like a jib, both chattering to Papa as they go, their buckled black book bags flapping on their backs, their free hands rapidly gesticulating, as Papa leads them along.

There are camera-bearing tourists in the morning, in serious groups, who scrutinize me as an object of study as they troop into the park from the subway stop at 72nd Street and Central Park West. Their eyes are focused straight ahead, their backs are to that elegant monument, the Dakota.

On these spring days, the park is speckled with golden forsythia. In the afternoon, in small rustic gazebos with benches by the side of the lake, there are book bags thrown down, and couples talking seriously together. The Vaux iron bridges reach from one side of the lake to the other, carrying children with their dogs, and from the other side back, with a traffic of elderly German couples on promenade.

By the Bethesda Fountain, as usual, there is an advertising shoot in progress, with two tanned perfectionists in flawlessly pressed chinos, poised against the lake as background, being teased by a blue-jeaned photographer and his black-clad crew, all laughing.

As I approach the east side, which at this time of day and this latitude is the children's side, I see the wee folk clambering over the statue of Hans Christian Andersen, and I hear violin music from the far side of the boat basin.



There I find an elderly violinist in shining black playing to orchestral backgrounds ribboning out of his tape player. He is surrounded by babies, mothers, nannies, a young woman with two white Samoyeds, an oblivious crowd sitting at the small bar by the boathouse, luxuriating in the sunlit breezes. A tiny little boy in a down vest dances joyfully at the violinist's feet. The violinist, intelligent and benign, peers alertly down through his horn-rimmed bottle glasses with the diffident geniality of a *Life* senior editor, and plays on.

From here in the middle of the park, the tall buildings of Manhattan sparkle in the distance, clean and humane. Here I see no homeless, no prostitutes. There are no buildings beyond the scale of Belvedere Castle and the boathouse. The tallest and worst of the towers in the distance may look from the street as cold and claustrophobic as a Frigidaire, but from the park it is the turret of a castle glimmering in the sunlight.

It is a magical view, but not majestic, across the meadow to the towers below 59th Street, across the park to Central Park West and Fifth Avenue. It makes the walker feel privileged, like a visitor behind stage at the Metropolitan Opera, or like a welcome guest on a great estate. Unlike the view from a tall building, it is without grandiosity. If Satan had wished to tempt Jesus with modern Manhattan, he might have taken him to the World Trade Center. No one could be tempted to power, standing in the welcoming forsythia-blooming magic circle of an April afternoon in Central Park. □

Mary Campbell Gallagher, a graduate of Harvard Law School, teaches other lawyers how to write.

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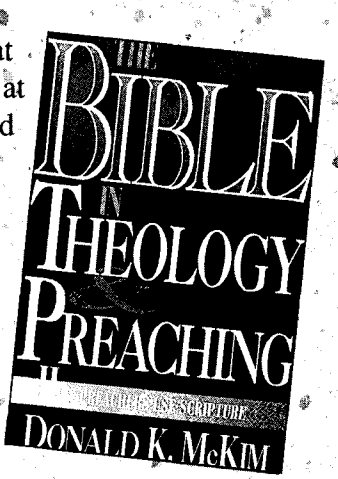
for Those Who Listen to the Gospel



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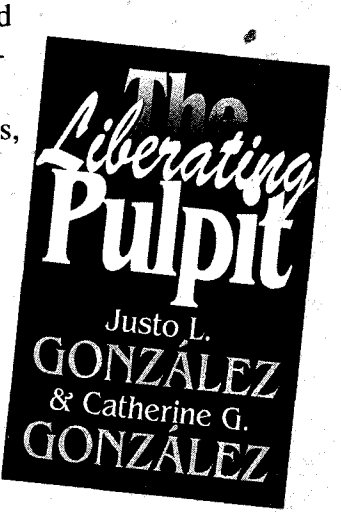

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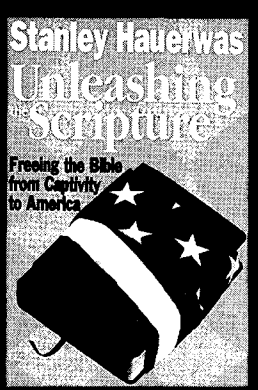

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